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ERRATA.

Vol. I. p. 113, last paragraph, *for* "The original Fortune" *read* "The freehold of the original Fortune."

Vol. I. pp. 258, 261, *for* "Rich. Dove" *read* "Rich^d Done."

Vol. I. p. 450, last paragraph, *for* "Byremares" *read* Bysemares."

Vol. II. p. 48, note, *for* "Paradisis" *read* "Paradisus."

Vol. II. p. 258, last paragraph, *for* "Sir Jeremy Taylor" *read* "Sir Jeremy Turner.

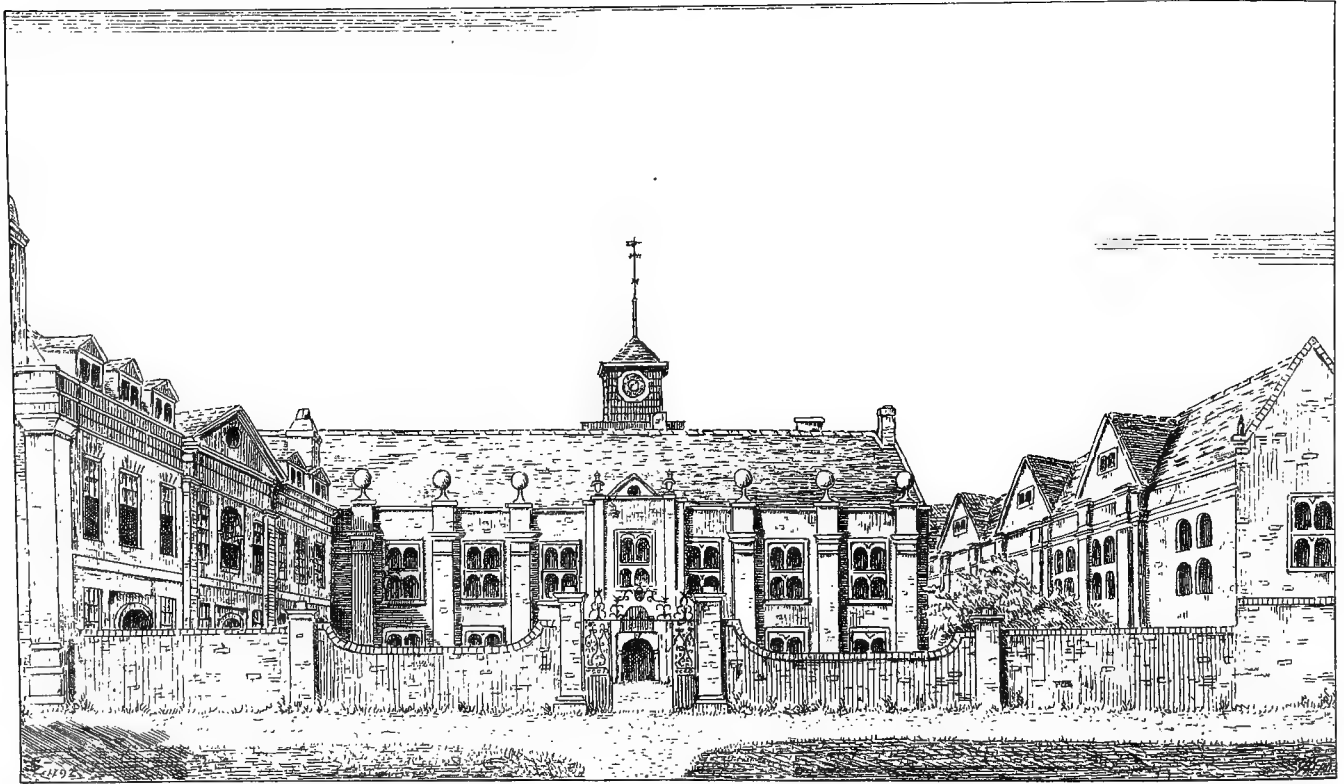
Vol. II. p. 325, third paragraph, *for* "adventures" *read* "adventurers."

THE HISTORY OF DULWICH COLLEGE.

There is a history in all men's lives,
Figuring the nature of the times deceased.

2 *Henry IV.* III. I.

[*Issue limited to 250 Copies.*]



Dulwich College.
about 1700-1750.

THE
HISTORY OF DULWICH COLLEGE,

*DOWN TO THE PASSING OF THE ACT OF PARLIAMENT
DISSOLVING THE ORIGINAL CORPORATION,
28th AUGUST 1857;*

WITH

A LIFE OF THE FOUNDER, EDWARD ALLEYN,

AND

AN ACCURATE TRANSCRIPT OF HIS DIARY, 1617-1622;

TO WHICH IS ADDED NOTICES OF THE LIVES AND WRITINGS OF SOME OF THE MASTERS AND
FELLOWS, TOGETHER WITH NOTES ON LOCAL PECULIARITIES AND ASSOCIATIONS.

BY WILLIAM YOUNG,

ONE OF THE GOVERNORS OF THE COLLEGE.

WITH NUMEROUS ILLUSTRATIONS.

IN TWO VOLUMES.—VOL. I.

PRINTED FOR THE AUTHOR BY MORRISON & GIBB, EDINBURGH;

AND SOLD BY

T. B. BUMPUS, 2 GEORGE YARD, LOMBARD STREET,
LONDON.

1889.

E.V.



PREFACE.

LONG connection with Dulwich as an inhabitant, and with the College as a governor, induced me to examine into the records of the place, and of the institutions connected therewith. The more I looked into the papers left by Alleyn, and accumulated since his death, the more curious and interesting matter did I discover. Gradually, the notes made and the researches undertaken, seemed to point to their being put to some practical use ; hence this book. My pursuits having through a tolerably long life been more commercial than literary, I am painfully conscious that I have not carried out the work as a more practised hand would have done ; but if the reader finds parts of this book dull, he is asked to remember, that to give due effect to many portions of a history such as this, it is necessary to quote in full, especially as one of my objects is to preserve the contents of unique, and often mutilated, documents.

The method attempted in this History is to allow the various manuscripts and muniments preserved at, or connected with, Dulwich College to tell their own story. Hence, in the earlier part of the narrative, the deeds of purchase and sale, as well as some of the older title-deeds, are given in full ; then follow the deeds of consecration and foundation, as well as the statutes, ordinances, and deed of uses. After the death of the Founder, the facts are largely taken *verbatim* from the Audit Books and Private Sittings Books kept by the Master and Warden for the time being. The records at Lambeth Palace have also been consulted and quoted from in reference to the various inquiries by the Archbishops of Canterbury as Visitors ; as have also the Tanner MSS. in the Bodleian Library, which, so far as they relate to the College of God's Gift, were originally derived from the Lambeth archives.

In the British Museum there are also several manuscripts relating to my subject, especially the notes and memoranda made by the Rev. James Hume (Fellow 1706–1730) and the Rev. E. A. Giraud (Fellow 1834–1857). The last-named gentleman seems to have himself contemplated writing a

History of the College; an intention which, however, only carried him so far as to cause him to make many extracts (often in pencil) from the Audit Books and other records in the College. How these notes got into the market it is difficult to understand, but they seem to have been bought by the British Museum in 1873 for a few shillings.

The Diary of Edward Alleyn is now for the first time printed entire, *verbatim et literatim*. Trivial though some of the entries appear, there is much to be learned from a record such as this, not only as to the prices of commodities, but also the nature and extent of lawyers' fees, and even servants' "tips" of those days. Again, a good deal may be learned from Alleyn's phonetic spelling. It is admitted that he was not a man of very high culture; but, as an actor at the head of his profession, his pronunciation must have been accurate according to the standard of the day. It may be taken, therefore, that his spelling generally conformed to the usual sound of the word,—showing in many cases much divergence from the methods now adopted, especially in the vowels. Examples will be found continually, but a few may be quoted, such as—"orase" for "arras," "trasses" for "traces," "gowld" for "gold," "carsey" for "kersey," and conversely "Aylec" for "Alice." "Worstershir," however, seems to indicate that the pronunciation of the name of this county was then as now; and "plow," "plowe," "plowghe," show the tendency to leave the old spelling for the later and less sensible "plough." Sometimes his phonetic efforts are quite baffling; in such cases the reader is left to interpret for himself.

The Diary is preceded by an attempt to tell the story of Alleyn's life, as far as possible in his own words, or in those of his correspondents. The gaps which necessarily occur in carrying out this plan have been filled up from other sources; but where nothing is known, nothing is recorded. The main facts as to the building and foundation of the College, having been already given in the History, are omitted in the Life.

His biography, as given by previous authors, has been written mainly with reference to matters connected with the drama; here the endeavour has been to depict him in all the aspects of his varied career. Some new matter has been discovered, notably his very early appearance on the stage at Leicester (see vol. ii. p. 3), and his last written words (hitherto

curiously overlooked), dated within two months of his death (see vol. ii. p. 39).

A separate chapter (vol. ii. chap. iv.), compiled by Mr. F. B. Bickley, of the British Museum, is devoted to the Court-Rolls of the Manor, which date back as far as 1333. The portions printed have been selected with the desire to give all the early names of places and persons, as well as to quote everything which is of either local or general interest.

It must be admitted that very few of the Masters, Wardens, or Fellows of the College were at any time distinguished in literature or the arts; but there are exceptions, notably those of James Hume, above mentioned, and John Allen (Warden 1811, Master 1820-1843), better known as "Holland House Allen." Notices of these gentlemen are given separately, which, it is thought, will be read with interest, specially Mr. Hume's travels in France in 1714, and Mr. Allen's letters (1803-1829) on home and foreign politics. Of others, such as Mr. Linley (Fellow 1816-1831), such particulars are given as can be gleaned from contemporary writers. Certain supplemental chapters have been added on the customs of the College, specially as regards elections, residence, hospitality, etc.; on localities and names; on the pictures and picture galleries; on the MSS. and library; and on the Fortune Theatre.

Very free use has been made of Mr. G. F. Warner's excellent catalogue of the MSS. and Muniments of Dulwich College, a work far too little known. It was compiled by him in 1881 at the request of the governors of the College. In many cases, specially in the Life of Alleyn, I have (with his approval and consent) employed Mr. Warner's exact words, finding that they expressed my meaning far better than I could do myself. Since Mr. Warner completed his work, a considerable quantity of additional MSS. has been found at Dulwich College; these have been catalogued and set in order by my friend, Mr. Conrad C. Dumas, M.A., of St. John's College, Cambridge, whose assistance throughout has been of great value to me.

The Dulwich Muniments are numbered consecutively according to their respective dates; the manuscripts are bound in volumes, the papers in each volume being numbered. When a Muniment is quoted, the number only is given; and when reference is made to a manuscript, the number of

the volume, and also the number of the MSS., is stated. As Mr. Warner's catalogue is based on this plan, reference thereto is also very simple.

The "Additional Manuscripts" recently brought to light have, so far, been only assorted and numbered according to dates; when quoted, they are described as "additional MSS."

My original intention was to complete the work in one volume, but materials so increased upon my hands that it became necessary to divide the work into two; this change will account for the latter chapters of the second volume having no special connection with the earlier portion relating to Alleyn and his Diary.

The illustrations in the first volume are mostly taken from prints in the British Museum; those in the second volume, with the exception of the Founder's portrait, consist of facsimiles of manuscripts in the Muniment-room at Dulwich. In both cases these have been executed by Mr. Charles Proetorius, at the British Museum. In some of the old views of the College, the dates assigned may not be quite correct, there being seldom any year mentioned on the originals.

For several of the facts recorded, especially in relation to Alleyn's second wife, Constance Donne, I am indebted to the Rev. T. R. O'flahertie, Vicar of Capel, Surrey. For most of the particulars of the life, and for all the letters of John Allen, I have to thank Mr. Ninian Hill Thomson, formerly of the Scotch Bar.

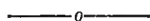
My special thanks are due to Mr. R. K. Douglas, Mr. George F. Warner, and Mr. F. B. Bickley, all of the British Museum, for their assistance and advice throughout; and also to Mr. S. A. Kershaw, the librarian at Lambeth Palace, for the facilities he kindly afforded for the consultation of the MSS. there.

I have also to acknowledge gratefully the frequent kindnesses of all the officials at the College, viz.—the Master, Mr. A. H. Gilkes; the secretaries, Mr. J. Watchhurst and Colonel Taylor; the solicitor, Mr. A. D. Druce; and Mr. R. Cross, the chief clerk of the Estates Governors.

WILLIAM YOUNG.

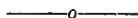
STANHILL COURT, CHARLWOOD,
SURREY, *August* 1889.

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HISTORY OF DULWICH COLLEGE.

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CHAPTER I.

EARLY HISTORY OF DULWICH.

DULWICH means the Village in the Valley; the word being probably derived from the Anglo-Saxon *Dæl*, Friesian *Del*, a cleft or valley; and *Wic*, a village.

Dulwich is not mentioned in Domesday Book; but by a charter in A.D. 967 King Eadgar grants Dilwihs to one of his Thanes (Kemble's *Codex Diplomaticus*, tom. iii. p. 17). The name, however, has gone through many changes in the course of time, as the following list will show:—

1127 Dilewyse & Dilewich.	1400 Dylwisshe.	1453 Dyllewych.
1276 Dylawys.	1401 Delewiche.	1454 Dylwysshe.
1323 Dilewysshe.	1405 Dilwysshe.	„ Dilwich.
1329 Dylewyssche.	1408 Delewisshe.	„ Dilwiche.
1333 Dyluyshe.	„ Delewysse.	„ Dulwyche (see 1393).
1340 Est Dilewissh.	1427 Delewych.	1493 Dylwiche.
1354 Suthdilewysshe.	1431 Dyllewych.	„ Dylwyche.
1363 Dilwysche.	1435 Dilwyssh.	1530 Dulwich.
„ Dilwissche.	„ Dilwyche.	1542 Dulwiche.
1369 Dylwyche.	„ Dilwych.	1563 Dowlytche.
1370 Dilewisshe.	1440 Dillwysshe.	1578 Dyllewiche.
1393 Dulwyche.	1447 Dilwish.	1600 Dulwiche.

And thereafter generally Dulwich and Dulwiche.

The next notice of this “Village in the Valley” after 967 is a grant of the manor of Dilewich, in the parish of Camberwell, by Henry I. in 1127 to the Priory of Bermondsey; and as it remained an appanage of, and intimately connected with Bermondsey until the Reformation, it seems fit to give here some particulars of that ancient foundation.

Bermondsey, which comprised not only the parish now so called, but also the adjoining district of Rotherhithe, derived its name from the fact

that it was a marshy tract of land, or possibly an island, and was owned by a Saxon chief named Beormund. During the life of Edward the Confessor it was owned by Earl Harold, afterwards the last Saxon king. In 1066, when the Saxons were vanquished, the Conqueror took possession of the manor of Bermondsey, and upon his death it descended to his son and successor, William II. or Rufus.

In Domesday Book, compiled in 1083, Bermondsey is described as possessing a new and beautiful church (*Ibi nova et pulchra ecclesia*). This church had been then recently built by one Aylwin Child, a citizen of London, who, probably with the assistance of William the Conqueror, and certainly with the co-operation of William Rufus, founded the Priory of Bermondsey, to be occupied and served by monks of the Cluniac order.

This "Order of Cluni," the first and principal branch of the Benedictines, was originally instituted by Bernon, Abbot of Gigni in Burgundy, in order to reform some things which seemed too remiss in St. Benedict's rule, but was increased and perfected by Odo, Abbot of Cluni, about A.D. 912. The monks lived under the rule of St. Benedict, and wore a black habit; but as they observed a different discipline, were called by the distinctive name of "Cluniac."

These monks were first brought into England by William, Earl of Warren, son-in-law to King William the Conqueror, who built their first house at Lewes in Sussex about A.D. 1077. All their monasteries in England were governed by foreigners, had more French than English monks in them, and were not only subject to the foreign houses of Cluni, La Charité sur Loire, and St. Martin des Champs at Paris, but could be visited by them only. Their priors were not elected by the respective convents, but named by the above-mentioned foreign houses. They could not receive the profession of their novices in England, nor could so much as any of their differences be determined there; but they were obliged, in almost all cases, to go to their superiors beyond sea. (See Tanner, *Notitia Monastica*, p. xiv., edⁿ 1744.)

The foundation of the Priory of Bermondsey appears to have been completed in the year 1089, when Petræus, Ricardus, Osbertus, and Umbaldus, monks "de Caritate," or of the monastery of La Charité on the Loire, came to Bermondsey, Petræus being the first Prior. (Dugdale, *Monasticon Anglicanum*, vol. v. p. 96.)

Besides the benefactions of Aylwin Child, the monks received grants of manors, lands, and spiritualities from many persons; and, in 1094, William Rufus granted them a charter confirming them in all their possessions, and bestowing on them the manor of Bermondsey and the church of St. Saviours.

In the year 1117 the records state that the "Cross or Rood" of St.

Saviours was found near the Thames (*Crux sancti Salvatoris inventa est prope Thamisiā*). This cross was considered of peculiar sanctity, and pilgrimages were made to it for several centuries afterwards. In the ancient diary of a citizen who lived in the reigns of Henry VII. and Henry VIII., preserved among the Cottonian MSS. (Vesp. A., xxv. fol. 41 b.), the following notice of its being taken down in 1538 occurs:—

“Mr Gressam, Mayor. On Saynt Mathies day thapostull, the xxiiijth day of February, Sondag, did the bisshop of Rochester preche at Poll’s Cros, and had standing afore hym all his sermon tyme the pictur of the Roode of grace in Kent that had byn many yeres in the Abbey of Bexley in Kent, and was gretely sought with pilgryms, and when he had made an ende of his sermon the pictor was torn all to peces: then was the pictor of Saynte Saviour that had stand in Barmsey Abbey many yeres in Southwarke takyn down.”

The Priors of Bermondsey continued to receive gifts both of temporalities and spiritualities during the reigns of William the Second and of Henry the First; and in 1127 the latter king granted them a charter, confirming them afresh in all their possessions, and giving them, amongst other lands, the manor of Dulwich. The words of the charter are: “Nunc vero ego ipse do eis de meo dominio Rodereyum et Dilewich et Hidam de Southwark et Wadonam.”

In 1154, the advowson of Camberwell was given them by William, Earl of Gloucester, son of Robert, Earl of Gloucester, a natural son of King Henry I., and this grant was confirmed by King Henry II. in 1159; but their title was for some time disputed by his descendants, until the year 1247, when Richard de Clare, Earl of Gloucester, great-grandson of the William aforesaid, passed a fine, whereby he released his claim to the Priory and convent for ever.

The Priory continued to flourish, increasing in power and wealth during the next two centuries; but in the year 1331 complaints were made by the English monks of its government, both spiritual and temporal, and a petition was presented to the Parliament then sitting at Winchester, that the proper number of monks was not kept up, and that the funds which should have supported the absent monks were misapplied and largely sent out of the kingdom; that the monastery was not visited by any English archbishop or bishop; that the priors were appointed from abroad and not elected; and that the English monks were oppressed by the foreigners. An order was thereupon made for the amendment of the matters complained of; and subsequently, in 1371, the Priory was sequestered as an Alien Priory by King Edward III.; and on the 18th January 1372/3, on the death of Peter de Tenolio, the then Prior, the king himself constituted Richard Denton or Dunton, an Englishman, Prior. He was the first Englishman

who had filled the office, and in the year 1381 he obtained a charter from King Richard the Second, by which the Priory was "denizenized," and made independent of the foreign chiefs of the order.

In 1399, John Attilburgh, the successor of Denton, procured his Priory to be erected into an Abbey, and was created abbot by Pope Boniface the Ninth at the request of King Richard the Second.

In 1458, an abortive attempt was made by the foreign monks to recover the English houses of their order, by sending a deputation of three monks to put their grievances before King Henry the Sixth. They obtained, however, nothing, and Bermondsey Abbey remained English to the last.

In 1520, Robert Wharton or Parfew, Bachelor of Divinity of Cambridge, was Abbot. He was consecrated Bishop of St. Asaph on the 2nd July 1536, having on the 30th of the preceding month obtained a dispensation to hold the Abbey "in commendam."

This prelate made a voluntary surrender of the Abbey to King Henry VIII. on the 1st January 1537/8, and obtained a pension of 500 marks, or £333. 6s. 8d., a year. In April 1554 he was translated to Hereford by Queen Mary, remaining bishop of that see till he died on the 22nd September 1557.

The clear yearly revenues of the Abbey amounted at the date of the surrender to £474. 14s. 4 $\frac{3}{4}$ d., and the gross income to £548. 2s. 5 $\frac{3}{4}$ d., of which the manor of Dulwich is set down as producing £13. 6s. 8d., and the rectory and tithes of Camberwell £10.

The income of £13. 6s. 8d. was probably far from the full value of the manor, but was all it produced to the Abbey, it having been leased for fifty years, by the abbot and convent on the 6th May 1530, to John Scott, one of the Barons of the Exchequer, "for the true and faithfull service and counsell and other consideracons by the said John Scott to them doon" (Mun. 315).

This lease was still current when, on the 11th October 1544, Henry VIII., in consideration of a sum of £609. 18s. 2d., granted with some other lands the manor of Dulwich to Thomas Calton, citizen and goldsmith of London, and Margaret his wife, at a yearly rent of £1. 13s. 9d. (Mun. 371). Besides this, Thomas Calton had already acquired from Sir Thomas Pope, on the 18th September 1544 (Mun. 330), some land called Rigate's Green, in Dulwich Wood, which had been the property of Bermondsey Abbey, but granted by the king to Sir Humphrey Browne in 1542 (Mun. 324), and sold by him to Pope the following day. From Thomas Calton the whole estate descended to his son Nicholas Calton, at whose death in 1575 it became the property of Francis Calton his son, then ten years of age, who received livery of his inheritance in 1587 (Mun. 383), and was probably then knighted.

The following document (MSS. iv. 9), which is indorsed, "Inquisicio indentata capta 20 Maii anno xvii°. Reginæ Eliz. (1575)," gives the descent and title of Dulwich Manor since 1540 :—

A Breife note of S^r Frauncis Calton's office founde after the death of M^r Nicholas Calton his father.

ffirst that the Abbott of Barmondsey in the right of the monastery was seized of the mannor of Dulwich wth thappurtennces in the pish of Cam^rwell in Surrey & of and in a message or Tente called Knowlis wth th'appurtennces in Dulwich aforesaide & so beinge seized the abbott & convent by their wrytinge indented dat vjth Maij A°. R. H. viij° xxxij^d did demise the same pmisses to John Scott for 50 yeres from Michaelmas 1571 except the woods And then the Abbott and convent by wrytinge under their comon seale sould the same revercon to the Kinge; and the Kinge to Thomas Calton & Margarette and the heires of their bodies begotten. And for defaulte to the right heires of the saide Thomas Calton. And that John Pope was seized of a pcell of land & wood called the Westwood wth thappurtennces in Lewsham in Kent cont. 28 acres and by his wrytinge dat xiiith ffeb. A° R. H. viij xxxvj^{to} sould the same unto Thomas Calton and Margarette & the heires of their bodyes &c. And for defaulte as aforesaide. And Tho: Calton & Mar: so beinge seized Thomas Dyed and Margarette survived and was seized of the revercon of the saide mannor & pmisses in her demeasne as of ffeetayle the remainder to William Calton sonne & heire of the saide Thomas deceased. And the saide Mar: so beinge seized the remainder to William as aforesaid obtayned licence of Queene Elizabeth to give & graunte the same mannor & pmisses in forme hereunder mencioned and then by their wrytinge made betweene the said Mar: & William on th'one pty and Gyles Pawlett als Lord Gyles Pawlett & William Chibball Drap on thothr pty Dat 24^{to} Januarij Aⁿⁿ° xij° R. Eliz: did covenante & graunte wth them before our lady Day then next followinge to levie a fyne of the pmisses sur recognizaunce de droit ut illa &c. to the use followinge viz^t. To the use of Mar. for terme of her life wthout ympeachment of any manner of waste and after her decease to the use of Nicolas Calton in the same writt named and the heires of his body and for such defaulte then to divers other uses in the same Indenture conteyned. W^{ch} ffyne was executed Octob. Hillarii A° xij° Eliz. R. by reason of w^{ch} & of the statute of uses A° 27 henrici octavi, the said Mar: was seized as of freehold the remainder to Nicholas Calton and the heires of his body begotten. And Mar: so beinge seized &c. dyed and Nicholas Calton by reason of her death was seized of the pmisses as of ffeetayle and so beinge seized demised the same by Indenture dated ultimo decembr A° R. R^{nm}° Eliz. to Henry Calton & William Bedell and sold them all the woods for 21 yeres from the day of the date of the same Ind^r. rent xxx' p ann By force of w^{ch} lease they entred & thereof were possessed the remainder to the saide Nicholas Calton & the heires of his body lawfully begotten. W^{ch} Nicholas obtayned licence primo Januarij A° xvij R. Eliz: to give and graunte the pmisses in forme followinge and thereupon by Indenture dated xij° Januarij aforesaid covennteth wth William ffaren & John Bedell before our Lady Day followinge to levie a fyne sur recognizaunce de droit ut illa &c. after w^{ch} fyne so to be levied of the pmisses they the saide William ffarren & John Bedell & their heires & the heires of the longer liver of them would be & stand seized of the pmisses to the uses in the same Indenture specified and to none other use &c. viz. A pasture called the hill beyond the mannor howse in the tenures of John Knowlis 13 acres, Dickardens close cont. 4 acres A

feild called hawthorne feilde cont 26 acres a pasture called Annefield cont 12 acres and of Divers other pcells of land &c. amountinge to a full third pte of the saide mannor & pmisses to the use of the saide Nicholas and the heires of his body. And for defaulte to the use of the right heires of the saide Nicholas for ev^r. And of other pticular land purchased of Jⁿ Dove & of certen land purchased of Webster & of either of them to the use of Nicho: Calton duringe his life & after his decease to the use of Thomas Calton his second sonne and the heires of his body lawfully &c. And of the residue of the said mannor & pmisses to the use of the said Nicholas for t^me of his life and after his decease to the use of the executors of the said Nichol: for 12 yeres to pforme his will and after th^e end of 12 yeres to the use of the heires of the body of the said Nich: lawfully begotten or to be begotten. And for defaulte &c to the use of the right heires of the said Nich: for eu^r. W^{ch} fyne was accordingly levyed to the saide W^m ffarren & Jⁿ Bedell to the uses mencioned in the said Indenture before recited by reason whereof & of the statut of uses aforesaid the said Nich: Calton was seized of the revercon of the sewall pmisses before recited beinge the 3 pte of the mannor and pmisses in ffee tayle viz to him & to the heires of his body lawfully begotten & for default &c the remainder to the right heires of the said N. for eu^r. And of the revercon of the pmisses mencioned in the said Indent. bought of Jⁿ Dove & Webster as of freehold viz for terme of his life the remainder to Tho: Calton his second sonne and the heires of his body lawfully begotten. And for default &c to the right heires of the said N. for eu^r. And of the reu^rcon of the residue of the said mannor and premisses as of freehold viz for terme of his life the remainder thereof to the use of the executors of the said N: for 12 yeres and from th^e end of the 12 yeres ut supra.

in Capite p x^l p^{tes} of a Knightes fee 33^s 9^d
 & Westwood in Soceage by fealty only
 And the landes in the Indent amountinge to a 3 pte val x^{li} p ann.

The residue xx^l

And that he had no other landes. And that ffrancis is his sonne and next heire and of the age of 10 years 3 months and 9 dayes at the tyme of the office fyndinge.

Endorsements.

rotul 18 Eliz. 102 rotul.

Inquis indentat: capt 20 Maij Aⁿ xxij^o R^{en} Eliz.

Inquisitio capt 20 Maij Anno 18 Eliz. Reg^{no}.

Rot. 18 Eliz^a. 102 Rot.*

The grant to Thomas Calton included the advowson of the vicarage of Camberwell, but the rectory and great tithes of that parish, which had belonged to Bermondsey Abbey, did not pass to him, but remained the property of the Crown until 1591, when they were granted by Queen

* It was originally intended to insert here some portions of the Court Rolls, but as they extend over a long series of years beginning in 1334, it has been thought better to give extracts from them in a separate chapter.

Elizabeth to Sir Edmund Bowyer, Knight, who was a resident in the parish, sheriff of Surrey and Sussex in 1600, knighted on the 11th May 1603, Member of Parliament for the county of Surrey in 1603, and for the borough of Gatton in 1613. He was also, as will be seen hereafter, possessed of considerable property, freehold and copyhold, in Dulwich. His descendant is now the lord of the manor of Clapham, a property, however, acquired subsequently by marriage with an heiress of the Atkins family.

So far as Dulwich is concerned, Edward Alleyn's name first appears on the 1st October 1605, in a deed of bargain and sale by Sir Francis Calton, Knt., Sir Robert Lee, Knt., and Gyles Simpson, goldsmith, to Edward Alleyn of S^t Saviours, Southwark, Esq^r, of messuages called Dulwich Courte and Hall Place and three other messuages with lands, &c., in Dulwich, for £130 paid to Sir Fran. Calton, and £660 to Sir Rob. Lee, the premises being mortgaged to the latter for so much by deed dated 17th Dec. 1602 (Mun. 456).

This purchase, however, seems to have been merely a preliminary, in order to clear off Sir Robert Lee's mortgage. It was followed on the 3rd October by articles of agreement on the part of Sir F. Calton for the sale of the manor itself and the whole of his estate in Dulwich, excepting the Camberwell advowson. The original of this document has been lost, but it is printed by Mr. Collier in the *Memoirs of Edward Alleyn*, p. 191, and runs thus:—

Md it is agreed betweene S^r Francis Calton, knight, and Edward Alleyn, gent, this third daie of October 1605, That the said S^r Frauncis Calton shall bargaine, sell, and assure to the said Edward Alleyn and his heires the Mannor of Dulwich in the Countie of Surrey, with all the Roialties and appurtenances thereof, all his landes in the parishe of Camberwell, except onelie the Advowson of the vicaridge of Camberwell, and shall passe the same as the learned Councell of the said Edward Alleyn shall reasonable devise, with warrantie against the said S^r Frauncis and his heirs, and all that shall clayme by, frome, or under his father or his grandfather, and with warrantie that the said Mannor with the appurtenances is worth as it is nowe letten, the cleare yearlie value of Cvⁿ at the leist, besides all chardges and reprises, and besides the wooddes and woodlandes, which are noe parcell of the demeanes. And that the said S^r Frauncis shall procure the Ladie Dorotheie, his wife, to joyne with him in a fine for the better conveyance of the said estate. All which assurances are to be doen and perfected before thend of the next tearme, with a statute of viij M^u from S^r Frauncis for performance of the bargaine. In consideration of which bargaine and conveyance the said Edward Alleyn ys to paie to the said S^r Frauncis Calton the some of fower thousand and nyne hundred pounes in this manner: viz, uppon thensealinge of the Indenture of bargaine and sale, one thousand and eight hundred pounes, and uppon the acknowledginge of the fine one hundred pounes, and uppon thensealinge of the said Indenture of bargaine and sale the said Edward Alleyn shall enter into statute to the said S^r Frauncis in the sum of v. M^u, that either he shall paie to S^r Frauncis twoe

thousand poundes att thend of vj monethes next after the date of the said Indenture, or ells paie the said S^r Frauncis vij C^u att thend of the same sixe monethes, and Cxx^u by yeare for forbearance of the xij C^u for iij yeares then following: and then att thend of the same three yeares to paie the said S^r Frauncis the said xij C^u in money, or ells in satisfaction thereof to assure to S^r Frauncis Calton the lease of the parsonadge of Firles in the Countie of Sussex, with such landes theare which the said Edward Allen latelie purchased, att the choice and election of the said S^r Frauncis. Soe as six monethes before thend of the said three yeares the said Sir Frauncis Calton geve to the said Edward Alleyn direct notice which he will accept. And alsoe the said Edward Alleyn by the said statute shall stande bound for paiement of the other thowsand poundes residue of the purchase, att thend of one yeare and a half next after the date of the said Indenture. Of which some of iij M ix C^u the said Edward Allen hath paid to the said S^r Frauncis in earnest of the bargaine the some of v^u which is to be accepted as in parte of the first payment. In witnes whereof the said parties have hereunto sett their handes.

FRAN: CALTON.

ED. ALLEYN.

As the price stipulated above was £4900, the following undated letter, in which Calton peremptorily refuses £4500, and demands sixteen years' purchase at £320 a year, must belong to a still earlier stage in the proceedings (MSS. iii. 15).

M^r Harres * for an answere to yo^r letters upon the contents whereof you will me to advise; w^{ch} is not councell amisse, for yf I shoulde proceed to conclusion accordinge to the offers herein, I might be esteemed a man neither of advice nor understandinge. I knowe not almoste any lande in England but is worth xv yeares purchase and yet I am offered but xii yeares purchase for myne. It shoulde seeme the partie knowethe not how to valew and proportion thinges, or els he is obstinatlye resolved, thoughe it weare worth 500^u the yeare, to gyve but 4500^u for it, as not meaninge, whatsoever the purchase be, to exceed that some. I have not rated or sette downe any thing vnto him that shall not be made good: then I doe wonder how he can offer 4500^u for 330 and odd poundes, which yf he caste but at xv yeares purchase comethe very neare to 5000^u, besydes the woodes vpon the waste, which he shall either take or leave at 300^u. To be shorte, yf he like the thinge, so as he will gyve xvi yeares purchase for it at 320^u by the yeare, I will once againe have conference with him, otherwise, I pray you send me the perticuler againe without more doinges. And so in haste I bid yoⁿ farewell. Yo^r loving frend.

FFRAN: CALTON.

Alleyn himself, in his memorandum book (MSS. viii.) records the purchase in the following terms:—

In no: do: Amen: 1605

Bought the Lordshipp of dullwich of S^r Francis Calton Knight this 20th of October for 5000^u

Whereof 2000^u is payd in hand y^e other 3000^u att y^e end of 6 years wth considratio yearly for forbearaunc of the 3000^u y^e some of 213^l 6^s 8^d per ann.

* William Harris, a scrivener.

The formal deed of sale for the same sum is, however, dated 8th May 1606, being a bargain and sale by Sir Francis Calton of London, Knt., and Dorathee, his wife, to Edward Alleyn of St. Saviours, Southwark, Esq., for £5000, of the manor of Dulwich, with the advowson of the vicarage of Camerwell; messuages called Hall Place and Dulwich Court; woods called Dulwich Common, Woodsyer, Blanchdowne and Hall Place groves; lands called Napps, Stony Napps, Little Bornes, and in Newlands; with all other their lands, tenements, rents, &c., in Dulwich and in the parish of Camerwell, Cos. Surrey and Kent (Mun. 471).*

Alleyn does not seem to have waited the formal deed to commence his payments to Sir Francis Calton, for it will be seen by the following that he paid him £115 between the 12th and 28th November 1605 (MSS. iv. 48).

Duodecimo die Novembris 1605 A^oque Ri Regis Jacobi Angliæ &c Tertio et Scotiæ Tricesimo nono

R^d. by me S^r. ffrancis Calton Knyght of Edward Allen Esquier the day and yere above written the some of Thirty and fyve pownds of lawfull mony of England in pte of paymente of the some of fyve Thowsande pownds of like mony for the absolute purchase of the mannor of Dulwich in the pishe of Cam^rwell in the County of Surrey & all other the lands of me the saide S^r ffrancis in Dulwich aforesaide & of other lands whereof the said Edward hath a p^ticular I say received } xxxv^u
p me FFRAN: CALTON

test. me Thos Bolton.

more att his first reseat of y^e bargain

v^u

November xxviiij 1605

Receaved more the day above wrytten uppon the sayd bargain the som of } xxv^u
fyve & twentye pounds
witness my mother her X mark p me FFRAN: CALTON.
More att greenwich in his owne house att my Ladye Chirching
To. Towne being wittnes 50^u

The following document (MSS. iv. 49) shows that there was some difficulty in obtaining a release from Sir Robert Lee of the mortgage he had held, in respect of which he had received £660 on the 1st October; the endorsements on it show several further payments by Alleyn to Sir Francis Calton.

* The following sarcastic passage on rich actors in the *Return from Parnassus*, published in 1606, has been supposed to refer to this purchase:—

“With mouthing words that better wits have framed
They purchase lands, and now esquires are made.”

(See *Alleyn Papers*, p. viiii.)

Bee y^t knowen unto all men by theis p^sentes that I S^r Frauncis Calton of London Knight doe owe unto Edward Alleyne of the pishe of S^t Saviors in Southwark in the county of Surrey Esquier the some of One hundreth and ffyfteene pounds of lawfull mony of England: To be paide to the saide Edward Alleyne his executors or assignes on the fflower and twentieth day of this instant moneth of December (if before the saide fflower and twentieth day of December the saide Edward Alleyne his heires or assignes shall not have had receaved from me the saide S^r ffrauncis Calton Knight my heires or assignes and from S^r Roberte Lee Knight his heires or assignes sufficient assurance of & for the mannor of Dulwich in the pishe of Cam^well in the county of Surrey wth th'appurtenances & other lands and tenements in the saide pishe or of so much of the saide mannor as was heretofore mortgaged by me the saide S^r ffrauncis unto the said S^r Robert Lee, to him the saide Edward Alleyne his heires and assigns for ever accordinge to agreeamente heretofore concluded on betweene me the saide S^r ffrauncis & the saide Edward Alleyne). Unto the w^{ch} paymente well and truly to be made I bynd me my heires executors and administrators by theis p^sentes In witness whereof I have hereunto sett my seale Dated the ffivith day of December 1605. Annoque R. Regis Jacobi Angliæ &c Tertio et Scotiæ Tricesimo nono.

p me FFRAN: CALTON.

(L. S.)

ENDORSEMENTS ON THE BACK OF MSS. IV. 49.

Centre fold.

S^r ffrauncis Calton's bill for 115^u

P ^d y ^e 10 th of December 1605 to S ^r Ro ^t : Lee att y ^e insealing	660 ^s
to S ^r Fran y ^e same daye more	15 ^s
the the (<i>sic</i>) 11 th of december 1605 att M ^r Hickes to S ^r Hu Browne	
payd for S ^r Francis	736 ^s 5 ^a
more to Harris for him	20 ^u
more by Lett to M ^r Wilson's man	10 ^s
more to hymself ddi by my wyfe 40 ^l w ^{ch} is in bill w th y ^e 10 ^l M ^r Wilson's man had	40
P ^d the 7 th of March 1605 the tenth dew to y ^e King to M ^r Floyd	2 ^s 8 ^a
more by bond payable last of march	30 ^s
more by noate dd by my wyfe to his mann wilto wittness boulton	86 ^s 13 ^s 4 ^d
more to my Ladye for her goodwill in y ^e dischargd	20 ^s

Left hand fold.

To Justic Daniell 2^s
his clarek 5^s (these are erased)

Md. y ^t I have payd to M ^r T. Calton w ^t Hethersall's lease	123 ^s 03 ^s 6 ^d
more this 28 of Maye 1606	26 ^s 16 ^s 6 ^d
more this 16 of June & 1606	60 ^s
more y ^e last of June	iiij ^s x ^a
more y ^e 3 of July	vj ^s

more y ^e 7 of July	1 ^l
more y ^e 9 of July	xx ^l
Soma tota	185 ^u 10s
p ^d M ^r T. Calton y ^e 28 of Maye for y ^e od ground	x ^l

Right hand fold.

M^d y^t this 25th of May 1606 I owe S^r Frauncis for his first payment in all 297^l.

dd. to M ^r Stapley this 26 of Maye	20 ^l
more to Harris	29 ^l
more to Boulton	66 ^l 13 ^s 4 ^d
Remaynes this 2 of June 1606 to S ^r frauncis	181 ^l 6 ^s 8 ^d
more to Harris this 3 of June	50 ^l
So remayning 3 Junij 1606	131. 06. 08.
Rf more this 7 of June	100 ^u

From this time until the final settlement between them, Sir Francis Calton continually applied to Alleyn for advances on various pretexts (see MSS. iii. 16, 18-31, 38-41, 43-47, 51-55, 58-60, 111). On the 6th December 1611 he acknowledges that the sum then due was £370 (MSS. iv. 77).

Memorandn. that all reckonings made euen to this present daye the sixte of december 1611 betweene M^r Allen and me he remayneth indebted to me the iuste som of three hundred and three score & ten pounds. In witness whereof I have subscribed my name
p FFRAN: CALTON.

Alleyn's memorandum book states simply—

"p^d s^r fr. y^e sd some of 3000 att severall payments and y^e last on y^e 25 of October " 1613."

Other smaller portions of land in Dulwich were also acquired by Edward Alleyn as occasion offered. These were according to the memorandum book,

"1 of June In Trinitie Term 1606

"Bought of M^r Thos Emerson a Howse and 5 acers of lande in dullwich price " 230^u

"of free Hould sockage tenure." (This was the house called the "Kennals") (Mun. 476, 486).

"In Trinitie Term 1606, y^e 3rd of July

"In Dullwich Bought of M^r Tho: Calton Hethersall's house & land viz 16 " Acers calde North Croftes 12 acers calde great Bornes 4 acers about y^e House in all " 32 acers Price 300^l. Tenure in Capitie (Mun. 483)

"The 16 of October 1606

"In Dullwich bought of John Berrey His howse and land conteyning 13 acers " Being coppiehowld of the same mannore, price 231^u (Mun. 491)

"Candellmas Tearn 1606.

"Bought of John Ewine (Bodgers Howse and land w^{ch} he howldeth by lease) vid^t.
"j tenement and 9 acers of land for y^e some of 80^l.

"Bought in y^e lease w^{ch} Ewin had in reversion of y^e same howse & land from me
"for 21 years & for y^e same leas pay^d y^e same John Ewin y^e 25 of Aprill 1608 the
"some of 12^l." *

"Candlemass Terme 1606.

"Bought of Thomas Turner his howse and land in dullwich calde Perrie Feeld con-
"taining 13 Acers for the some of 226^l 13^s 4^d

"gwin Ewin for pcuration & making y^e Bargayne 5^l" (Mun. 500).

"The 1 of June 1607

"bought of Tho: Calton & his wyfe, Henrie Farr and his wyfe the corner howse
"in dullwich & 16 acres of land." The price paid was £152 to Thomas Calton and
his wife, and £123. 6s. 8d. to Henry Farr and his wife (Mun. 510, 515).

"The 22th of October 1607

"Bought of Elice parrei All his lands in dullwich as well free as coppie Howld
"vid^t Ambls (Ambler's) howse & land Anthonie Richine House & land & Jo
"Lewes House & grownd for 400^l" (MSS. iv. 64. Mun. 414, 516, 517).

"The 29th October 1608 bought of Tho: Calton 2 pcells off land in y^e occupation
"of Jo. Fering caled Little Brownings & Carter's garden beeing 5 akers more or less
"w^{ch} lands wear past in the conveighanc of y^e lands I bought of Jo Ewins in Hilarie
"terme 1606 & nowe pd to y^e same Tho Calton for y^e sayd lands ye sume off 50^l"
(Mun. 522).

"The 13th off december 1608

"Bought of S^r Ed. Bowyar & M^r Jo Bowyar all ther land in Dullwich & tene-
"ments both free & coppie Howld being about 70 akers & 8 or 9 howses for y^e sume
"off 650^l & at this 13 of decemb. I kept court att dullwich & they surrendered ther
"coppie hold"
(Mun 525, 531).

Besides the above transactions mentioned in his memorandum book, the muniments show that Alleyn purchased on the 13th May 1606, for £65, from George Hethersall the lease for 20 years from 10th August 1599, of the house of which he bought the freehold from Thomas Calton on the 3rd July 1606 (Mun. 473). Also that in Trinity term 1606, he acquired from Thomas Calton, for £41, a messuage, cottage and land in "Dulwiche and Camerwell" (Mun. 481). Further, on the 18th October 1611, he obtained a lease from Thomas Calton of a field in Dulwich called Carter's Hall, for 500 years at a peppercorn rent (Mun. 543), the price paid being £510, which, however, seems to have included a house and three acres of land and also Addington's meadows and Great Brownings

* These lands are described in the deed of bargain and sale as Naspe, Pynners meade, Little Brownings, and Carter's garden (Mun. 490, 496), the latter deed being signed with the mark of Johan Alleyn, wife of Edw. Alleyn as a witness.

(Mun. 548), and on the 2d Nov. 1613 he paid to Sir Edward Duke £160 for 18 acres of land in Lambeth and Camberwell.

The lands are described by Alleyne himself (MSS. v. 2) in a paper entitled "A particuler of the groundes within the mannor of Dulwich," as follows:—

A.	Imprimis Hunger Hill conteyning . . .	xiiij acres
	Item one close called the . . .	vj acres
	Horse croft . . .	iiij
	Hathorne feild . . .	xxv acres
	the two hills . . .	xxv
	great woodsier . . .	xxx acres
B.	litle woodsier with a close adioyning to y ^t . . .	xiiij acres
	Addingtons meadowes . . .	x ^{en} acres
	one close called the three acres . . .	iiij acres
	the litle Lordshipp . . .	iiij acres
	Blanchdowne . . .	vj acres
	the hill in thoccupacion of Robert Turner . . .	vij acres
	the hill in thoccupacion of Symmes . . .	vij acres
	the ground in thoccupacion of Best . . .	iiij acres
	the fursiefeild that Bissington holdeth . . .	iiij acres
	the hill in thoccupacion of Traughton . . .	iiij acres
	the Butchers feild . . .	vj acres
	Peryfield in thoccupacion of Hamond . . .	xij acres
	Ambrose Sheppard to his house . . .	xvj acres
	Thomas Calton about his house . . .	iiij acres
	M ^r Parry his litle Brownings . . .	ij acres
C.	M ^r Parry adioyning to his house . . .	x ^{en} acres
	great brownings . . .	v acres
	the litle brownings . . .	ij acres
	Henr. Hunters brownings and ground adioyning to his house . . .	iiij acres
	Cokmans . . .	vij acres
	Richard Pare . . .	ij acres
	Jn ^o . Cassinghurst . . .	vj
	Jn ^o . Goodenough . . .	xiiij acres
	Annes feild . . .	iiij acres
	Rigaites . . .	v acres
	Savage adioyning to his house . . .	vj acres
	Dickairdings . . .	iiij
	Robert Bodgerson thelder to his house . . .	j
	Tho. Abeck . . .	j
	Jn ^o . Hall about his house . . .	j
	Howletes . . .	vj
	Jn ^o . Bone adioyning to his house . . .	x ^{en} acres
	Hill croftes . . .	iiij acres
	Whites feild . . .	v acres

New mead	iiij acres
M ^r Stoughton about his house	ij acres
D. Great Spilmans	iiij acres
Jn ^o . Shott to his house	xj acres
Jn ^o . Ambler to his house	xij acres
litle Spilmans	iiij acres
Gilcot land	iiij acres
Court Mead	x ^{en} acres
the ground in thoccupation of Hall	xij acres
M ^r . Knight to his house	xxx acres
Jn ^o . Feering adioyning to his house	iiij acres
Newlandes in thoccupation of M ^r Stoughton	vj acres
Newlandes in the holding of Staple	iiij acres
E. Henr. Hunters ground lieing between M ^r } Knights house and Feerings	ij acres
the close called the xvij acres conteyning	x acres
Kennoldes	vj acres
Henr. Mathew adioyning to his house	iiij acres
Rob ^t . Best adioyning to his house	x acres
Rob ^t . Bogerson the younger about his house	ij acres
Staple adioyning to his house	ij acres
Jn ^o . Mathew to his house	xj acres
Hunters Napps	ij acres
Savages Napps	iiij acres
Bogerson the younger his Napps	ij acres
Jn ^o . Staple his Napps	j acre
Nic. Foster his bornes	viiij acres
M ^r Knights Napps	iiij acres
M ^r Caltons bornes	vij acres
Feerings bornes	ij acres
Norcroftes	x ^{en} acres
Carters Hall	iiij acres
the hill in thoccupation of Nic. Feild	vij acres
Hunters hill	ij acres
Pynners mead	iiij acres
Robt. Bogerson thelder	j acre

No date is given in this paper, which is obviously incomplete, as the total amounts only to 509 acres, whereas the acreage at the founder's death was in reality about 1100 acres.

In the year 1611, some doubt appears to have been thrown upon Alleyn's title to Dulwich manor. He had purchased it from Sir Francis Calton, relying apparently upon the title disclosed in the documents quoted above, wherein it was set forth that the estate, having been purchased from King Henry the Eighth, by Thomas Calton and Margaret his wife, descended at his death to Margaret Calton and William Calton her eldest son: that these two executed a deed conveying the property

to Lord Gyles Pawlett and William Chiball, draper, in trust for the use of Margaret Calton during her life, and at her death to her second son Nicholas, and that through him it descended to Sir Francis Calton, his eldest son and heir.

It is plain that unless the above-mentioned deed between Margaret and William Calton and Lord Gyles Pawlett and Chiball could be produced and established, Sir Francis, and consequently Alleyn, had not a good title; but this deed was not among the "evidences" received by Alleyn at the time of the purchase, which evidences, as set forth in his memorandum book, contained, with the exception of "The mayne patten from "H y^e 8th," nothing anterior to the time of Nicholas Calton. Alleyn, therefore, on the 27th May 1611 preferred

"A bill of complaynt in y^e Chawncerie against S^r Francis Calton Knight 'to the "right Honourable Thomas Lord Ellesmere Lord High Chancellour of England,' in which, after reciting the title as given above, he proceeds: "And hee the said S^r Frauncis Calton, being so seized afterwarde, that is to saye in or about the fowerth yere of the raigne of our soveraigne Lord the Kinges Ma^{tie} that now ys of England France and Ireland, and of Scotland the fortith, for and in consideration of a great some of money, unto the said Sir Frauncis Calton in hand paid by your Lordshipp's said Orator, did by good and lawfull conveyances in the lawe convey and assure the said Mannor with thappurtenances and dyvers other landes in the parish of Camberwell, in the said Countye of Surrey unto your Lordshipp's said Orator and to his heires: by vertue of which said conveyance your Lordshipp's said Orator hath byne and still is of the said Mannor and premisses with thappurtenances lawfully seized in his demesne as of fee to him and to his heires."

He then sets forth that although he was entitled to "all and all manner of deedes, evidences, wrytinges, escriptes and mynymentes touching or any waies concerninge the said Mannor and premisses," yet that "dyvers of the evidences and ancient wrytinges touchinge and concerninge the said Mannor and premisses are of late come into the handes, custodie, and possession of the said S^r Frauncis Calton, Knight, or into the custodie or possession of some other person or persons by his meanes, deliverye, consent or privitie, as also some deede or conveyance made by the said Margaret, alone or jointlie with the said William Calton, eldest sonne of the said Thomas Calton, unto dyvers persons of trust unto the use of the said Margaret Calton for the terme of her owne life and then to the use of the said Nicholas Calton, one of the youngest sonnes of the said Thomas Calton and Margaret, which said deede or wrytinge, he, the said Sir Francis Calton, havinge in his custodie or possession or in the custody and possession of some other, by his deliverie, consent or privitie, hath endeavoured and still doth endeavor to the uttermost of his power, to conceale and suppress: And well knowinge that there was such a deede made by the said Margaret and William Calton, theldest sonne of the said Thomas Calton, the purchaser, to the said Lord Pawlett or to some other, and to such uses as aforesaid, yet notwithstandinge contrarye to his owne knowledge, hee the said S^r Frauncis Calton doth conceale and detayne the same from your Lordshipp's said Orator, confederatyng and combyninge himselfe together with the heires of the said William Calton, the eldest sonne of the said Thomas Calton (to whome the

"inheritance of the said Mannor and premisses was and should have discended, if the said deede or conveyance had not beene made and executed) to defeate your Lord-shipp's said Orator of the inheritance of the said Mannor and premisses with thappurtenances."

He also accuses Sir Francis Calton of having "made and contrived dyvers secret estates of and in the said Mannor and premisses, or of some part thereof, to dyvers persons" "thereby unconscionable intending hereafter to defraude your said Orator and his heires of the said Mannor and premisses" and prays that Sir Francis Calton may be compelled "to shew fourth the said deede and other the writings and evidences touchinge the said Mannor and premisses and the same cause to delyver unto your said Orator for the preservation of his lawfull inheritance in and to the said Mannor and premisses."

And also forasmuch as he "knoweth not the certaine dates or nomber of the said evidences or writings, and other the secret conveyances made by the said Sir Francis Calton or anie other touchinge the said Mannor and premisses, nor whether the same be in bagge, chest or box, sealed, locked or unlocked, or in whose handes the same be," he prays that a writ of subpena may be directed to Sir Francis Calton, commanding him to appear before the Court and "then and there upon his corporal oath, truelie, plainlie, and directlie to answeare to all and sundrie the premisses" and "to answeare upon his oath, whether there were not such a deede or conveyance made by the said Margaret and William Calton to such uses as aforesaid, or to what uses it was made. And to shewe in whose handes the same is and remayneth and what the estates are conteyned in the said deede."

The answer of Sir Francis Calton to this bill (MSS. iv. 76) was practically an admission of all the facts and a denial of all the allegations contained in it. It commences—

"The said defendant saith that the said Bill of Complaint is exhibited into this honorable Court against him this defendant without anie just cause or occasion geven or offered by him to the said complaynant. And hee is thereby put to needles and vneccessarie charges, expences, vexacon and trouble."

He then proceeds to admit the correctness of the statement of title given in the bill and the sale of the manor by him to Alleyn, adding, "And the said Complaynant or his assignees doe peaceably and quietlie possesse and enioye the said manor and premisses without anie the Interrupcion or clayme of this Deft or anie person or persons clayminge from by or vnder him. And the said defendant doth disclaime to haue anie right title or interest in or to the said manor or premisses or anie part thereof. And this defendant further saith that hee hath delivered vnto the complaynant All the deedes evidences and writings in his custodie touchinge and concerning the said manor and premisses and this deft thincketh that there was such a deede made by the said Margaret and William of the said Mannor and premisses to those psons nomyated in the said Bill of Complaint contayninge the same vses in the said Bill alleadged with deede and vses were found by office as this defendant thincketh after the death of the said Thomas Calton. But where and in whose possession the same deede is or certaintie that there is such a deede this defendant knoweth not therefore this defendant traverseth and denieth without that, that the said deede made by the said Margaret and William or either of them or that anie of the evidences and auncient writings concerning the said manor and

"premisses are come into the handes custodie or possession of anie other pson or
 "psons by his meanes deliuerie consent or privitie or that hee this defendant hath
 "indeavored or still doth indeavor to the vtmost of his power or otherwise to con-
 "ceale the said deede or writinge or other the evidences touchinge the same mannor
 "and premisses or that this defendant knoweth in whose handes and possession the
 "said deedes be or concealeth or deteyneth the same or anie of them from the com-
 "playnant as in the said Bill is alleadged." He also absolutely denies that he "hath
 "made or contrived anie secret estates of the premisses or anie part thereof or that
 "hee doth intend to defraud the complayn^t thereof as in the Bill is vntuelie sur-
 "mised. And without that that hee this defendant doth knowe of anie secret or
 "former estates to be made of the premisses or anie part thereof whereby hee was
 "not and should not be able to convey the same to the complaynant accordinge to
 "the true meaninge of the said sale, as in and by the said bill is likewise untrulie
 "surmised." And finally "humble praieeth to be dismissed out of the same wth his
 "reasonable costes and charges in this behalf wrongfullie sustayned."

Besides the bill against Sir Francis Calton, Alleyn also preferred one against Thomas Wightman, who had married Joan, the widow of Nicholas Calton, and mother of Sir Francis, who also answered on the 5th October 1611, enumerating the deeds and other documents in his possession relating to Dulwich Manor.

The result of these bills was that Alleyn practically obtained what he required; for although the actual deed of Margaret and William Calton was not forthcoming, a note at the end of the evidences in his memorandum book shows that he received "more wrighting concerning y^e Lordshipp of "Dullwich," amongst which were:—

"Y^e copie off a fine dat. Elyz. y^e 12th from Margrett Calton and Willyam Calton
 "her sone to giles pawlett & Willyam Chiball."

"Y^e exemplification off y^e said fine" and "An indentur exemplified leading to
 "y^e uses of y^e foresayd fine between Margrett & Willyam Calton & pawlett &
 "Chybbball dat Januarie y^e 24. Elyz y^e 12th."

These exemplifications are now Muniments Nos. 344 & 545.

He also received from Thomas Wightman seven documents relating to Rygates, six of which are now Muniments 324-6, 332-3 & 556.

Strictly speaking, the charges brought against Sir Francis Calton by Alleyn in his bill had little, if any, real foundation. A much more simple reason for the withholding of the important deed in question is suggested by its contents, as shown in the "exemplification," by which it appears that the deed related not to Dulwich alone, but to the whole provision for the younger sons of Thomas Calton, which comprised the manor, rectory, &c., of Goringe, co. Oxon, the manor of Dulwich, with lands &c., in Dulwich and Camberwell, co. Surrey, lands &c., in Chaddesdon and Derby, co. Derby, wood in Lewisham, co. Kent, and the rectory, vicarage, &c., of

Willey, co. Herts. All of these were conveyed to Lord Giles Pawlett and William Chyball, in trust for Margaret Calton for her life, and at her decease to the sons of Thomas Calton, viz. the Willey estate to George and Henry, the Goringe estate to Robert, the Dulwich and Lewisham estates to Nicholas, and the Chaddesdon and Derby estate to George. Thus, as the document concerned not only the estate of Nicholas, and through him of Sir Francis Calton, but those also of George, Henry, and Robert Calton, it was not likely that the original could be given up to Alleyn. It is curious, however, that the matter was not sufficiently explained to prevent such a proceeding as a suit in Chancery.

Whilst he was completing his purchases of lands at Dulwich, Alleyn, though Lord of that manor since 1606, continued to reside at the Bankside in Southwark. He was churchwarden of the Liberty of the Clink in 1610, letters continued to be addressed to him there as late as 1612, and the probability is that he did not finally settle at Dulwich until 1613, the same year in which he began the building of the College.

No precise date can be laid down as that on which Edward Alleyn determined to found a College at Dulwich, but it is probable that he had something of the kind in his mind from the time of his first purchase in 1605. The story which is mentioned in some of the older biographies of Alleyn, that he was led to it by the appearance of a real devil among the actors personating demons on the stage, must be dismissed as a myth without any foundation. A similar and equally absurd tradition was current in later times with respect to an actor at the Pantheon in Oxford Street.

Among the MSS. (v. 48) is a translation of the statutes of the Orphanocomium and Gerontocomium or "Hospitalles for Orphanes and Olde folkes" at Amsterdam, from the history of Amsterdam, printed by Pontanus in 1611, and the outward resemblance between Dulwich College and the Gerontocomium, of which a view is there given, has been considered as not wholly accidental. It is probable, however, that Alleyn procured this translation with a view mainly to the hints thereby afforded for the compilation of the statutes for his own college, as he certainly solicited suggestions from Winchester and Eton (MSS. v. 46 and 47) for the same purpose.

In any case his mind was made up, and his plans were fully formed by the 17th May 1613, on which date he entered into the following contract with John Benson, bricklayer, of Westminster, for the building of the College. (Mun. 558.)

This Indenture, made the seaventeenth day of May, 1613, and in the yeres of the raigne of our sovraigne Lorde James, by the grace of God, Kinge of England, Fraunce

and Ireland, defender of the faith &c the eleventh, and of Scotland the sixe and fortithe, Betweene Edward Alleyn of Dulwich in the p^{is}he of Camerwell in the County of Surrey, Esquier, on th'one partye, and John Benson of Westm^r in the County of Midd, bricklayer, on th'other party. Witnessethe, that it is covenanted, graunted, concluded, condescended and agreed by and betweene the saide parties to thies presentes, and the saide John Benson for him selfe covenanteth and graunteth to and with the saide Edward Alleyn his executors and assignes by these presentes in manner and forme as hereunder from article to article is expressed, that is to say; That he the saide John Benson or his assignes shall and will (for the consideration here under written and specified) builde erect and sett up, upon a certen p^{ce}ll of ground appoynted and layde out for that purpose upon Dulwich Greene in the p^{is}he of Camerwell aforesaide, the trench for the foundacon to be digged and made fit by the saide Edward Alleyn, his executors or assignes, a certaine buildinge of brick, of and with such bricke, lyme, sand, or other stuff belonginge to brickworke, as shalbe provided and delivered to him att the place aforesaide by the saide Edward Alleyn his executors or assignes, which buildinge shalbe for a Chappell, a Schole howse, and twelve Almehowse, proportionably accordinge to a plott thereof made and drawn by the saide John Benson and subscribed by the saide p^{ties}; the saide Chappell and Scholehowse to be in lengthe from east to west fowerscore and fyfteene foote of assize, and in bredthe from out side to out side twenty and nyne foote of assize, and in height from the upper p^{te} of the foundation even from the grounde to the raysinge peece thertye foote of assize, and upon the head or topp of the same height sixe foote of assize of finishing worke. And in the middle of the forefront of the said Chappell shall erect and build one faire porche, to conteyne in lengthe eightene foote of assize and in bredthe from the other buildinge forward nyne foote of assize, the same porche to be bewtified and finished as hereunder is menconed. And behinde on the backe p^{te} of the saide buildinge, directly against the saide porche, shall erect and sett up one Tower of bricke to be eightene foote of assize square from out to outside, and in height to be threescore foote of assize, with decent and comely fynishinge, and at each corner of the same Tower one pynacle of brick: And in the midst of the same Chappell and Scholehowse, for a p^{ti}con betweene them, shall make one p^{ti}con wall to be in thicknes one brick and a halfe. To sett out the rome appoynted for the plor of the saide Schole-howse backward by way of enlargement ten foote of assize, and under the same parlor and rome before the same appoynted for an entrie and staire case, shall make one cellar of brick to be in bredthe thirteene foote of assize and in lengthe thirty fower foot of assize, and seven foote of assize deepe. And in the same Scholehowse shall make and erect sixe chimneyes sufficiently and substancially to be made and wrought, with arched mantle trees of brick, and to carry and avoid smok cleane thorough the tonnells of the same chimneyes; that is to say, one chimney in the plor, one in the chamber over the plor, one in the chamber or garrett ov^r the same plor chamber, one in the kitchen, one in the chamber over the kitchen, and one in the chamber over the Scholehowse. The foundacon of the Chappell walls within the grounde to be in thicknes sixe bricke, and so railed of untill at the upp p^{te} of the grounde it be brought to fower bricke in thicknes: and from the grounde to the watertable to be three bricke and a halfe in thicknes; and from the watertable to the raysinge peece the walls to be three bricke in thicknes. The foundacon of the Tower and the walls thereof to be of the same thicknes as the Chappell is within the grounde, and the walls from the grounde upward to the covering of the same Tower to be three bricke in thicknes,

and even with the ridge of the Chappell the same Tower to have a decent watertable, and from the watertable upward the same Tower to have forward twoe pillasters, and suche other bewtifyinge and fynishinge as the forfront of the saide porch is to have, as hereunder is mentioned. And that the forefront of the said Chappell and Scholehowse shalbe bewtified with sixe Dorick pillasters with petty stalls, bases, capitalls and cornishe, to reach from the lowest pte of the foundacon within the grounde unto the raysinge peece, and twoe pillasters to bewtifie the same porche, and the saide sixe foote of fynishinge worke on the hedd or topp before menconed, to rise and be made with a small pillaster on the heade of every greate pillaster, with three kinde of tafferells on the forefront; that is to say, one over the porche, and on either side of the porch one; and in the same forefront fower halfe roundes for the bewtifyinge, and betweene every tafferrell and halfe rounde one piramides. And in the forefront of the same Chappell, Scholehowse and porche shall make fowerteene windowes, viz; in the Chappell sixe, in the Scholehowse sixe, and over the saide porch twoe, every window to have fower lightes with a transsam, each light to be arched or turned over with brick, and every light to be twoe foote wide, besides the monyon, which monion is to be nyne ynches thick. And att the east end of the saide Chappell shall make one faire windowe, wherein shalbe ten arched lightes with a transam in the middle thereof, all the lightes and monyons thereof to be of the pportion of the saide former windowes, and on the back parte of the saide Chappell, towards the south, shall make one dore rome and butteres and sixe arched windowes in the same Chappell, proportionable to the windowes in the forefront. The out walls of the Scholehowse, and romes thereunto appoynted as aforesaide, to be in thicknes as hereafter followeth, viz: from the lowest pte of the foundacon within the grounde to the watertable twoe bricke and a halfe in thicknes; from the watertable to the first story twoe bricke in thicknes, and from the first story to the topp a brick and a halfe in thicknes, with sufficient windowes in every of the saide romes, as the same romes and storyes will conveniently beare and require. And in the kitchen chimney of the same Scholehowse shall make twoe meete and sufficient ovens; one greater and th'other lesser. And that sixe of the saide Almehowses shalbe made and erected from the east corner of the saide Chappell northwardes, and th'other sixe Almehowses from the west corner of the saide Scholehowse northwardes, as by the said plott is pcribed and pfigured, every of the same Almehowses to be twelve foote square within the walls: and in the same Almehowses shall make twelve severall chimneys viz; to each Almehowse one, the mantle trees of the same chimneys to be arched or turned over with brick, and to be made to carry and avoid smoke cleane through the tonnells of the same: and in every of the same Almehowses shall make one windowe with twoe lightes, and under the eves of the same Almehowses shall make a slight cornishe and to each Almehowse one dore rome to be arched or turned over with brick. And at the north end of each of the same rankes of Almehowses shall erect one howse of office, to conteyne ten foote one way and twelve foote another, with a vault to each howse of office of brick, eight foote deepe, wth a vent out of each howse of office in the manner of a chimney above the ridge of the same Almehowses: and also shall erect one wall of brick thwart from end to end of the saide Almehowses to enclose the courte, eight foote high, and in the midst of the same wall one faire gate rome to be fynished in the best and most decent manner with pillasters, ffreze, cornishe and piramides: the saide wall to be a brick and a halfe in thicknes. All the pillasters, freezes, cornishe and windowes and fawmes of the saide buildinge to [be] fairely and cleanelly fynished white, as is accustomed in buildinges of like nature. And all the

same worke before p̄scribed, and all other bricklayers work to the same buildinge appteyninge, shall well, workemanlike and sufficiently worke make and fynishe in all thinges to the trade of a bricklayer belonginge. And shall and will begin the same worke on or before the last day of this instant moneth of May, and shall and will continue at the same worke and fynishe the same with as much convenient speede as possibly may be, and as the saide Edward Alleyn his executors or assignes shall require the same, shall provide stuffe for doeing thereof. For and in consideracon of which worke and covenantes, in forme aforesaide to be done and p̄formed, the said Edward Alleyn, for him, his executors and administrators, covenanteth and graunteth to and with the saide John Benson, his executors and assignes, by these presentes in manner and forme followinge: that is to say. That he the said Edward Alleyn his executors or assignes shall finde and allowe sufficient scaffolding boardes, cordes and nails for the buildinge aforesaid. And also upon the fyneshinge of every five rodd square of the saide buildinge, every rodd conteyninge sixteene foote and a half of assize, shall pay or cause to be paide to the said John Benson the sume of seaven poundes ten shillinges of lawfull mony of England, the same to be measured one with another, and runninge measure, which is thirty shillings for every rodd. And upon the full fynishinge and endinge of the saide worke and buildinge for every rodd the same shalbe measured into, one with another after the measure aforesaide ten shillinges more, which in all is after the rate of forty shillings a rodd, without fraud or covyn. In witnes whereof the said parties to theis present Indentures interchangeably have sett their handes and seales. Geaven the day and yeres first above written

JOHN BENSON.

Sealed and delivered in presence of me

THOMAS BOLTON Scr.

ANTHONY WILLIAMS

Servant to the said Tho. Bolton.

ENDORSEMENTS ON BENSON'S DEED.

Received this 19 th of June 1613 of Ed Alleyn in part of payment	20 ^l
John Benson	
Receved more this 14 of august 1613	10 ^{ll}
John Benson	
Receved more this 28 th of august 1613	10 ^{ll}
John Benson	
Receved more this 11 th of September 1613	10 ^{ll}
John Benson	
Receved more this 18 th of September 1613	10 ^{ll}
John Benson	
Receved more this 9 th of October 1613 y ^e sum off.	20 ^l
John Benson	
Receved more this 30 th of November 1613 y ^e sum of	20 ^l
John Benson	
Receved more this 15 of december 1613 y ^e sum of	05 ^l
John Benson	
Receved more this 24 of december 1613 y ^e sum of	55 ^l
John Benson	

Received more this 10 th of Januarie 1613 y ^e sum of	.	.	10
	John Benson		
Received more this 22 th of apill 1614 y ^e some of	.	.	7 ¹
Received from y ^e Costermonger.			

The last payment to Benson endorsed on the deed is dated 22nd of April 1614, by which time it is probable that the carcass of the building was complete, and its further progress is indicated by a letter from John Benson to Edw. Alleyn (MSS. iii. 61), in which he offers to glaze "a peece of billding at Dwllige" if he will provide "stufe as glase and lead and soder," but prays him to keep it close for fear of the glaziers, on which undated letter there is an acquittance for £10, dated 14th May 1614.

By the end of the summer of 1616 the College was so far ready that the consecration of the Chapel was fixed for the 1st September, the founder's birthday, and Alleyn began to make arrangements to appoint the first recipients of his bounty.

He offered the post of chaplain to the Rev. Cornelius Lymer, who had been Chaplain of Christchurch College, Oxford, since 1605, and it was by him accepted in the following letter (MSS. iii. 66).

The document being considerably mutilated, the portions printed in italics are conjectural.

My duty in all humbleness remembred. *I have received advertisement from my w^p good friend Mr.— y^t the first of September is y^e day appointed for the consecracon of yo^r Chappell, & that you require my attendance there to read prayers and to preach in the forenoone, my duty inforceth mee to return you the gratefull testimony of my thankfull heart, for y^e giving so ready an eare unto my suite, and accepting of me rather than another of my brethren, to imploy my talent in that capacity. My custome, and my profession forbids me to be fulsome in my promises and protestacons or to make use of any hyperbolicall phrases when I am writing to any of my superio^{rs} wherefore my humble request to your worship is to pardon my modesty if I simply say that I accept of my honest and true heart, wch next to eternal glory, aymeth at nothing more than to give unto yo^r worship contentment in y^e dischardge of y^t duty wch I shall performe in y^e place where you live, and my prayer unto God is and ever shalbe, so to blesse my studies and labours y^t I may dischardge a good conscience in his sight and before all men. I conclude wth thancksgiving unto God who moved yo^r heart to begin so good and charitable a worke, and hath granted you leave to finish it, and I pray God you may long live to see the blessed fruite of yo^r cost and chardges, to yo^r owne contentm^t, and incouragem^t of others by yo^r good example to doe y^e like, y^t so in y^e end of your dayes you may receiue y^e end of yo^r hope an immarcessible * crowne of imortall glory. And so I end and rest*

From Christchurch
in Oxford this 22th
of July 1616.

Yo^r w^{ps} most humbly de[voted]
CORNELIUS LYMER.

* Immarcessible, i.e. unfading.

Cornelius Lymer was accordingly appointed Chaplain or Preacher on the 31st July 1616, and on the first of the following September the Chapel was consecrated, Alleyn making the first entry in the Register book with his own hand as follows :—

“ A Regester Book for this Colledge off God’s guift in Dullwich in y^e countye off
 “ Surrey, wherin is contayned first all y^e names off the Colledgiantes then all y^e
 “ Christenings Burialls or marriages, which hath bene since the Chapple off y^e said
 “ Colledge wase consecrated and dedicated to y^e honor off Christ by the most Reverent
 “ father in God, George Abbot Archbishopp off Canterbury His Grace, on Sundaye y^e
 “ first off September and y^e yeare off our Lord, 1616.”

The ceremony of consecration is described at length in the Register of Archbishop Abbot in Lambeth Palace. It has been printed in Wilkin’s *Concilia*. The following is a translation from the original Latin :—

On Sunday the 1st day of September 1616, between the hours of nine and twelve in the forenoon, at the gate or entrance of the chapel or oratory lately built by Edward Alleyn, Esquire, in a certain building lately erected by him in the village or hamlet of Dulwich, within the Parish of Camberwell or Camerwell, in the County of Surrey, the diocese of Winchester, and Province of Canterbury, before the Most Reverend Father in Christ George Archbishop of Canterbury, etc., to whom all and every the jurisdiction spiritual and ecclesiastical touching the whole diocese of Winchester both by reason of the vacancy thereof and of his Metropolitan right of visitation, etc., is known to belong, in the presence of me John Drake, Notary Public, etc.

The manner of the dedication and consecration of the chapel or oratory in the village or hamlet of Dulwich in the County of Surrey.

At which time and place there appeared personally the said Edward Alleyn, Esquire, and stated that his said building (which by the Grace of God and the licence of our Lord the King he proposed and intended to make into a college for the poor) was situated in the village or hamlet of Dulwich, in the parish of Camberwell otherwise Camerwell in the said County of Surrey, and that it was far distant from the parish church of Camberwell aforesaid, viz., about two miles, so that he could not easily attend the said church with his household to hear divine service and to offer due devotion to Almighty God without danger and difficulty, especially in wet and stormy weather. Therefore, in order that he may with his household the better serve God and display to men a testimony of his love for the Christian Religion as received and professed in this realm of England, he has lately built, erected and constructed a chapel or oratory in his said College on his own land and at his own cost, and has furnished and ornamented the same with all things necessary for the decent and proper performance of divine service. Furthermore he stated that there was near his said college and within the said hamlet a certain place surrounded by walls which he destined for a cemetery or place of burial for the bodies of those who died in the said

college and hamlet, and prayed humbly and earnestly both in his own name and in the names of all the inhabitants that the said Most Reverend Father, the episcopal chair of Winchester being vacant, would think fit to decree and by virtue of his authority both ordinary and metropolitan dedicate and consecrate the said chapel or oratory to be employed in and for sacred and divine uses, and the said place or plot of ground intended for a cemetery or place of burial in the said hamlet to be dedicated and consecrated as a cemetery or burying ground for the dead in and for the said hamlet.

Wherefore the said Most Reverend Father regarding favourably the pious and religious desire of the said Edward Alleyn, in answer to his petition decreed that the aforesaid chapel or oratory and the said place or plot of ground intended for a cemetery or burying ground should be respectively dedicated and consecrated according to his petition on that behalf, and that the consecration thereof should be proceeded with. And forthwith the said Most Reverend Father, accompanied by the honorable and distinguished gentlemen, Edmund Bowyer, Thomas Grymes, William Gresham, Thomas Hunt, and Jeremiah Turner, Knights, and many others, entered the aforesaid chapel and proceeded to the East end thereof, and there sitting in a chair placed and prepared for him and proceeding in due and legal form, dedicated and consecrated the aforesaid chapel or oratory for divine worship, the celebration of divine service, the administration of the Sacraments, the reading of the Word of God, the burial of the dead and the performance of other sacred duties, by reading, passing, and promulgating publicly in a loud voice a decree or form of dedication and consecration of the aforesaid chapel couched in manner following, viz^t:

In the Name of God. Amen. Whereas the honourable gentleman Edward Alleyn, Esquire, moved by pious and religious devotion, has lately built, erected and constructed on his own land and at his own expense in a certain building lately constructed by him also in the village or hamlet of Dulwich in the Parish of Camberwell or Camerwell in the County of Surrey, the Diocese of Winchester, and our province of Canterbury, this Chapel or Oratory measuring in length from the East to the West forty seven feet or thereabouts, and in breadth from the North to the South (besides the tower) twenty four feet or thereabouts: and Whereas the said Edward Alleyn has proposed and purposed with the blessing of God and the licence of our Lord the King to convert the said building into a college for the poor, and has provided and furnished the said chapel in a decent and sufficient manner with a pulpit, communion table, font, convenient seats and other matters necessary for the performance of Divine service: and Whereas he has supplicated us that we, in the vacancy of the episcopal chair of Winchester, should think fit to dedicate and consecrate by virtue of our authority both ordinary and metropolitan, the said Chapel to the sacred and divine uses below specified: Now We, George, by divine permission Archbishop of Canterbury, Primate and Metropolitan of all England, to whom belongs all and every the jurisdiction spiritual and ecclesiastical in and through the whole diocese of Winchester by reason both of the vacancy of the episcopal chair thereof and of our metropolitan right of visitation over the same diocese, acceding to his wish on that behalf, and proceeding, by virtue of our ordinary and metropolitan authority, to the consecration of this chapel or oratory newly erected, built and furnished at the proper cost of the said Edward Alleyn as aforesaid, do hereby so far as in us lies and we are enabled by the constitution, laws, statutes and canons of this realm of

England, dedicate and consecrate by the name of the Chapel of Christ in the village or hamlet of Dulwich aforesaid this Chapel or Oratory aforesaid for Divine worship, for the performance of Divine offices, for the celebration of the Sacraments of the Lord's Supper and of Holy Baptism as well as the solemnization of Matrimony, for offering prayers to God, for honestly and truthfully reading and expounding the word of God, and for the burial of the dead especially such as decease within the college and the said hamlet with the consent nevertheless of the said Edward Alleyn or of the person for the time being holding the mastership or Presidency of the said College, and for the performance and exercise of all the other Sacramental duties to the honour of God, and for the health of the souls and the use of the said Edward Alleyn and his household and the master or governor for the time being of the said college and of all the inhabitants now or in time to come of the said college and hamlet of Dulwich aforesaid. And we pronounce, decree, and declare it openly and publicly to have been so dedicated, consecrated and made over so to remain for all time to come, and we decree that it should be named and called for all time to come by the name of the Chapel of Christ as aforesaid, and call it by that name accordingly. And we will that the said chapel or oratory should be endowed for all legal purposes with all and singular the privileges usual and necessary in such cases and appertaining to chapels of ancient foundation, and so far as in us lies and we are by law entitled, we endow it accordingly and ratify the same by these presents, saving always the rights and interests of the mother church in whose parish the said chapel or oratory is situated, together with all and singular tithes, offerings, tolls, privileges, rights and emoluments thereof whatsoever and for all liabilities to repair and other ordinary and extraordinary charges of the said mother church in any way due or customary by law or custom or belonging or appertaining thereto. Reserving also to the said Edward Alleyn and the Principal Master or Governor of the said college for the time being full and free power to approve and license with the authority of the ordinary from time to time a fit priest for the performance and celebration of the said divine offices in the said chapel. Provided always that the said Edward Alleyn and the Principal Master or Governor of the said college from time to time for the future shall keep and sustain at his or their proper cost a curate or minister in the said Chapel to be approved and licensed by the ordinary, and shall provide such curate with an annual stipend of twenty marks at the least without any diminution or deduction in respect of offerings due by ecclesiastical law, or tithes or burdens of any kind belonging or appertaining by law or custom to the rectory or vicarage of Camberwell or Camerwell aforesaid, and further that in respect of burials in the said chapel all and singular the offerings or death dues, fees, and taxes due by law or custom shall be paid over entire to the Vicar of the said mother church and the churchwardens and officers of the same for the time being in as ample a manner and form as has heretofore been the case in respect of burials in the chancel of the said mother church and as they are wont to be paid if persons dying as aforesaid should be buried in the chancel of the said mother church. All and singular these matters so far as is in our power and we are empowered by law we thus decree, stablish and reserve by these presents.

G. CANTUAR.

Having read this decree or form of consecration, the said Most Reverend Father offered a prayer to the Most High God that He would accept the said offering in the following words, viz.:

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D

PRAYER.

O most merciful Father, heaven is thy throne and the earth is thy footstool, what house then can be built for thee? or what place is there that thou shouldest rest in? But yet since it hath been ever thy delight to be with the sons of men, therefore in all ages of the world thy servants have separated and hallowed certain places from all profane and common uses unto thy divine service, either by thy especial commandment, or by the inspiration of thy blessed Spirit. So Adam had his oratory in paradise; and Jacob his praying place in the fields; Moses his holy ground in the Wilderness; and the Israelites their tabernacle for thy worship in the land of Promise; until it pleased thee at the last to put into the heart of King Solomon to build a temple to thine honour in Jerusalem, admirable for beauty, invaluable for riches, renowned for sanctity throughout all the world, whither the tribes of Israel did ascend three times a year, to offer sacrifices and oblations unto thee: and afterwards thy people being inflamed with the zeal of this house, added daily unto their mother church lesser synagogues in every town; by which godly examples revealed in thy word, the christian churches in their succession have made and consecrated houses unto thee, as well for the celebration of thy divine ordinances and preaching of thy heavenly word, as for the invocation of thy great name, and administration of thy holy sacraments: for the temple is the court of audience, wherein thou dost sit to hear our prayers, and it is our heaven upon earth, wherein we assemble and meet together to laud and magnify thy glorious majesty. And doth not reason and religion inforce us unto this work! for shall the sparrow have an house, and the swallow her nest, and shall not we find out an house for thee, O Lord our redeemer! Shall we who are but dust and ashes, build unto ourselves ceiled and beautiful houses for our worldly affairs, yea and for our pleasures, and shall we not build and dedicate some houses for thy worship, unto thy great and fearful name, and repay, as it were, the tithes of our dwelling-places back again unto thee! for all things come from thee, and we can give thee but thy own. Accept therefore, we beseech thee, most gracious Father, of this our bounden duty, and because, except thou build the house they labour but in vain that build it, Sanctify this house with thy gracious presence, which is erected unto the honour of thy service. Now therefore arise, O Lord, and come into this place of rest, let thine eyes be open towards this house night and day: let thine ears be ready to hear the prayers of thy children, which they shall pour forth unto thee in this place, and let thine heart delight to dwell here perpetually; and whensoever thy servants shall make their petitions unto thee in this house either to bestow thy good graces and blessings upon them, or to remove thy heavy punishments and judgments from them, hear thou from heaven thy dwelling-place, and when thou hearest have mercy: and grant, O Lord, we beseech thee, that here and elsewhere thy priests may be clothed with righteousness, and that all thy saints may rejoice in thy salvation, so that when we shall cease to pray unto thee in these earthly temples, we may at the last praise thee in thy glorious temple not made with hands, but eternal in the heavens; for thy dear Son and our blessed Saviour Jesus Christ his sake, who liveth and reigneth with thee, and the Holy Ghost, one God, world without end. Amen.

After this M^r. Cornelius Lymer, M.A., deacon and priest, sitting at the curate's place read prayers and certain Psalms, and a chapter chosen for the occasion, viz^t, the

84th and 122nd Psalms and the 10th chapter of the Gospel according to St. John, after which the said most Reverend Father ascended the pulpit, and after a hymn had been sung, preached on the following text contained in the 76th Psalm and the 11th verse, viz^t., "Promise unto your Lord God and keep it, all ye that are round about him ; " bring presents unto him that ought to be feared," and expounded the Word of God with much learning to the people who were assembled there in great numbers. When the service was at an end after the singing of a Psalm, the said most Reverend Father dismissed the assembled people with a blessing, and proceeding forth from the aforesaid chapel went to the place or plot of ground which had been prepared for a cemetery or place of burial in the aforesaid hamlet, accompanied by the said M^r. Edward Alleyn and many others, and having entered the same proceeded to a spot in the said plot of ground where a chair had been prepared and placed for him, and took his seat there. And there and then the said most Reverend Father, sitting in his seat of judgement in accordance with the petition of the said Edward Alleyn preferred as well in his own name as in the names of all the inhabitants of the village or hamlet of Dulwich aforesaid, dedicated and consecrated the aforesaid place and plot of ground as a cemetery or place of burial for the dead in and for the aforesaid hamlet, by reading, passing and promulgating publicly in a loud voice a decree or form of dedication and consecration of the aforesaid cemetery written in manner following, viz^t.:—

In the name of God: Amen. We, George, by divine permission Archbishop of Canterbury, Primate and Metropolitan of all England, to whom is well known to belong all and every the jurisdiction spiritual and ecclesiastical in and through the Diocese of Winchester by reason both of the vacancy of the Episcopal chair thereof and of our metropolitan right of visitation over the same diocese, decree that this place or plot of ground situated in the village or hamlet of Dulwich within the parish of Camberwell or Camerwell in the county of Surrey and the diocese of Winchester and in our province of Canterbury, adjacent to the King's highway leading from the village of Camberwell aforesaid to a certain college lately built by Edward Alleyn, Esquire, in the village or hamlet of Dulwich aforesaid, inclosed with walls on all sides, and measuring in breadth from East to West eighty six feet or thereabouts and in length from North to South one hundred and fifty feet or thereabouts, should be set apart from its former and all other common and profane uses for the following uses and by the same title have assigned it for the benefit of the inhabitants and dwellers in the village or hamlet of Dulwich aforesaid as and for a cemetery or place of burial for the dead in and for the aforesaid hamlet, so far as in us lies and we are enabled by the constitution, laws, statutes and canons of this realm of England, and by virtue of our own authority both ordinary and metropolitan, do dedicate and consecrate it by the name of the cemetery of the aforesaid hamlet, and we decree that it shall be had and held for the aforesaid use and be known and called as the cemetery of the aforesaid hamlet for ever: And we further will that the said cemetery or place of burial should be endowed (for all legal purposes) with all and singular the privileges usual and necessary in such cases and appertaining to ancient cemeteries and places of burial consecrated and dedicated of old, and so far as in us lies and we are by law entitled, we endow it accordingly and ratify the same by these presents, saving always and reserving to the vicar of the Parish Church of Camberwell or Camerwell aforesaid and, to the churchwardens and other officers of the same for the time being for ever all and singular the offerings, death dues, fees, and taxes, for all and singular the burials

of the dead in this cemetery or place of burial, due by law or custom in respect thereof, in as ample a manner and form as if the said corpses were buried in the cemetery of the aforesaid mother church, and the payment of all and singular such offerings, death dues, fees, and taxes so due by law or custom, we reserve by these presents for ever, to the vicar, guardians, and other officers of the said mother church for the time being, so far as in us lies and we are enabled by law.

G. CANTUAR.

After this was done, the said most Reverend Father offered up prayer to Almighty God for the acceptance of the aforesaid offering in the words following, viz.:

Most merciful Father, thou hast been pleased to teach us in thy holy word, that the very bodies of thy faithful servants are not made in vain, but that living and dying they have their special uses appointed by thyself; thou hast framed them here on earth to be the workmanship of thy hands; and to sound out thy glory; thou hast fashioned them unto the shape of thine own Son, that by a spiritual union they should be as bone of his bone, and flesh of his flesh; thou hast made them the temples of thy Holy Ghost, that thy sacred Spirit may move and work in them those things which by thy mercy are acceptable in thy sight; and when they are to rest with their fathers, and to return unto the earth, from whence they were taken, thou hast appointed them not for ever to remain there in corruption, but at the day of general resurrection to come forth of the graves, to be possessed with eternity, and to be crowned with immortality. We cannot therefore but take knowledge by the examples of thy patriarchs, and holy men in all ages, and by that which thy blessed word hath revealed unto us, that it is thy gracious pleasure, that when thy servants shall by thee be called out of this miserable world, their bodies should be seemly and decently committed unto christian burial, that in the bowels of the earth they may remain in hope of a joyful resurrection; and having for that purpose made choice of this place, where we now are, that it may be a receptacle for the bodies of such of our brethren and sisters, as thou dost ordain hither; we beseech thee to accept this work of ours, and mercifully to grant that we who be here present may never forget our dissolution from the tabernacle of this flesh, but that living we may think of death, and dying we may apprehend life, to the everlasting comfort of our souls; and for those whose bodies are hereafter to be committed to this earth, so guide them with thy grace while they are here in this world, that setting thee evermore before their eyes, and accounting all things vain in comparison of their enjoying of thee their only God and Saviour, they may live in thy fear, and die in thy faith, and so be made heirs of thy everlasting kingdom, through Jesus Christ our Lord and blessed Redeemer. Amen.

Then the said most Reverend Father dismissed the assembled people with a blessing. When all and singular these matters had been transacted, the said Edward Alleyn as well in his own name and in that of all the inhabitants of the aforesaid hamlet, requested me the said John Drake, notary public, being there present, to prepare for him one or more public instruments and witnesses, etc. There were present at the consecration of the said chapel the honourable gentlemen and knights above mentioned, and there were present also both at the consecration of the said chapel and of the said cemetery the following honourable gentlemen: Thomas Goade, D.D., Robert Hutton, Esquire, Maurice Abbot, merchant, William Ascough, Edward

Leventhorpe and Humphery Orme, gentlemen, and John Gilpyn, apparitor-general of the said most Reverend Father, and other witnesses necessary on that behalf.

The see of Winchester was vacant at the time, and, of course, the diocesan was not present, neither was the Vicar of Camberwell, as might have been expected. He was the Reverend Edward Wilson, who was presented to the Vicarage by Queen Elizabeth in 1577, and consequently had held the living thirty-nine years. From this, and from the fact that a new vicar was presented in 1618, it may be conjectured that his absence was occasioned by old age and infirmity.

CHAPTER II.

THE COLLEGE DURING THE LIFE OF THE FOUNDER.

EDWARD ALLEYN had, as has been said above, fully settled the plan of the foundation of his college before he commenced to build. It was to be called the "College of God's Gift in Dulwich," and was to consist of a master, a warden, four fellows, six poor brethren, six poor sisters, and twelve poor scholars. The Master, Warden, and Fellows were to be appointed by himself while he lived, and after his death, as he might order by the statutes; but of the poor brethren and sisters, two men and one woman were to be nominated by the parish of St. Botolph's, Bishopsgate, where he was born; one man and two women by the part of parish of St. Giles, Cripplegate, which was without the city, in which he had property, viz., the Fortune Playhouse; and two men and one woman by the parish of St. Saviours, Southwark, where he had lived so many years. The remaining one man and two women were to be selected by himself from the inhabitants of the parish of Camberwell, and especially from Dulwich itself. In like manner, three of the poor scholars were to be nominated by each of the three first-named parishes, and the remaining three selected from Camberwell or Dulwich boys.

In accordance with this scheme, Alleyn addressed himself, either before or immediately after the consecration of the chapel, to the authorities of the three first-named parishes, and requested them to nominate aged poor people to be taken into his "protection and charge." The first reply extant is from the parish of St. Giles, Cripplegate, the authorities of which sent the following answer on the 14th September 1616, addressed

To the woorrⁿ o^r good
freind Edward
Allen Esq^r. o^r
Benefacto^r.

(MSS. iii. 67).

[*Beginning badly mutilated.*]

Wee in pticular doe much thank yoⁿ for yo^r so bounteous graunt to this half pishe as from tyme to tyme and for ever to take three of these into yo^r ptecon and charge.

Wee have made choyce by yo^r direccon of a man & 2 women wee hould them of honest conversacon The mans name is John Jones the womens names are Alice Foster and Margaret Chapman. Let them pray hartely that God will increase the number of such as shalbe of yo^r mynde, and wee yo^r freinds shall ever shewe o^rselves behoulding to yo^u for yo^r love and Register yo^u in the number of o^r blessed Benefactors And doe rest

Your loving frends

—— MICHELL
WILLIAM HEWETT
THOMAS NICHOLAS
JOHN WEBBER
GEORGE MORGAN

Our pishione^{rs} desire for mortalities sake that they may have some noate or instrum^t from yo^u of this yo^r contynewell pleasure.

JOHN BROCKE Churchwarden

These three were admitted, and their names inserted in the register as “colledgiantes” on the 1st October 1616. The next letter was from St. Botolph’s, and is as follows (MSS. iii. 69):—

Salut in Christo

Sir I have this day cald uppon the ancients of ower parishe to informe me of suche poore people amonge our pensioners as are fit to be p^sented unto you for y^r admittance into y^r charitable erection of Almes howses, and wee consideringe well of theire distresse have sente unto you the names of theise three Mawde Lee widow above the age of threescore yeares Henry Phillipps and John Muggleton, whome wee thinke worthy of y^r commiseration and entreate you to let us know from you when they shall be receaved that wee may send them personally unto you. Thus humbly beseechinge almighty God to bless you, wee comit you to his p^tection and reste

Y^r very lovinge freends

At the parish church
of S^t Botolphe withowt
Bishopsgate Septr. 29
Anno 1616

STEPHEN GOSSON Rect^r.
CLEMENT BUCK Deputie
THOMAS DUNNYNGE
RAPHE SNIDER
STEPHEN FRESEZINFELDE

On the 2nd of October Dr. Gosson sent these poor persons to Alleyne that he might have a “personale view” of them, and introduced them in the following letter (MSS. iii. 70):—

Salut in Christo.

Sir I have now sente yow a personale view of those three poore persons whose names wee p^sented unto yow from the church upon sunday laste. Mawde Lee a very poore widow and a pensior of o^r parish aged threescore yeares and upward. Henrie Phillipps an almes man also of owers uppon the pointe of three score yeares. And John Muggleton of the lyke age, trustyinge that uppon this interview you will give them their direction when they shall be admitted into y^r hospitale of poore folkes

whiche are the pledges Christe hath left with yow in his absence, whoe hath told us longe agoe that the poore yow shall alwayes have amonge yow corpaly present untill he come agayne in body, to iudge the world and give recompence to those that have for his sake shewed any mercy heere to his images and needy members heere. Thus recommendinge to the grace of our good God I rest

Y^r verie louinge and ancient frend
STEPH: GOSSON Rect.

At my howse in S^t
Botolphes without
Bishopsgate 2 Octob.
1616.

Mawde Lee, Henrie Phillippes, and John Muggleton were accordingly admitted on the 7th October 1616.

The parish of St. Saviour's, Southwark, probably sent an early answer, which has not been preserved, for on the 2nd of October, William Ceely of St. Saviour's, and Ann Allen of the same parish, were entered in the register as admitted. The second man nominated by them had no doubt been found ineligible for some cause, for in the following letter, which has no date, they presented another candidate (MSS. iii. 71).

It will be observed that the churchwardens break out into verse !

Worshipfull and kinde neighbo^r health to yo^r person and many wishes for longe ioy of gods temporall blessinge given you, whereof the poore are made ptakers and yo^r lovinge frends become thankfull to you for them, wee sende you (as yo^r loue moved us to doe) this poore elected Beadesman of yo^{rs} James Saunder aged 68 yeares and a pentioner with vs amongst others, whoe wee hope wth all comfort doth accept the same, and will in his daily orisons remember his good ffounder both in love and dutie: wee sente him for an honest poore man, and thanck you for him, and rest alwaies in o^r lous myndfull of yo^r kyndnes to this our poor Liberty of the Clinck.

As god did moue your mind to build
A howse for many poore
To liue by weekly almes that you
Allott them of your store
God graunt they may be thanckfull still
While aged years giue space
To Founders care and frends report
That brought them to this place.

Yo^r wor^{ps} lovinge neighbors
ROGER COLE
EDWARDE GRIFFINE
WILLIAM CORDEN
THO: MANSELL
M^r BENFIELD ✕ marks
THOMAS DAWSON
SETH BENWELL
RALP. SCOTT beaddell

James Saunders was duly admitted on the 10th October 1616. The number of the pensioners was completed by the admission of Hen: Briggs of Peckham on the 30th September, Aylec (or Alice) Man of Peckham, on the 10th October, and Sarah Sheppard of Camberwell on the 17th October.

It will be seen hereafter that Alleyn was not fortunate in these two last appointments.

On the 13th October 1616 the sacrament of baptism was administered in the chapel for the first time, the register recording that, "October y^e 13 was "John the sonne of John Underwood baptizd," and the first burial in the churchyard was that of the same child. The entry is—"October y^e 21 was "John the sonne of John Underwood buried."

The second entry in the burial register contains an error; for it records that on "October y^e 18th Ann Allen one of the poor sisters off y^e Colledge "wase buried;" whereas opposite to the name of this sister who had been admitted from St. Saviour's on the 2nd October is written in Alleyn's own hand, "died december y^e 17." The burial should no doubt have been entered as on the 18th of December instead of October. Her place was filled up by the admission of Anne Kirton of St. Saviour's on the 11th of January 1616/7.

Thus at the commencement of the year 1617 (according to the present calendar) the foundation consisted of six poor brethren, six poor sisters, and of the chaplain, Cornelius Lymer. The latter, curiously enough, seems for at least a part of this year to have been chaplain both at Christchurch, Oxford, and at Dulwich, for his name appears in the books of the former College as chaplain in 1617, and not afterwards. He may, however, have had leave of absence.

In the early summer of 1617, Alleyn appears to have begun to make arrangements for the reception of the poor scholars. He offered the post of schoolmaster on a "yeares triall," with a stipend of twenty marks, or £13. 6s. 8d., in addition to his "diet," to one Richard Barlow of Newport Pagnell, probably on the recommendation of Edward Alleyn, his cousin, who lived there, but Mr. Barlow declined it in the following letter (MSS. iii. 73):—

Most worthie and right worshipful S^r. what a desire I have had to embrace that liberall maintenaunce w^{ch} hath beene offered unto me from you, noe man knoweth better then my selfe, yet that god whoe ruleth the harts of all men and allthough men may purpose a thinge yet he will dispose of all thinges as it seemeth best unto his heavenly wisdome, hath otherwaies determined in this matter, yea and hath through the counsell of my freinds given me tooe motives w^{ch} dissuade me to the contrarie: the first is the p^rsent occasion now offered me wheare I am, the seconde is the condicions w^h weare betwixt you, M^r Lymer and my selfe. For the first, I finde such meanes stirred up for my maintenaunce, amonghste those my worthie freinds with whome I live that certes (in my opinion) it weare great follie in me toe refuse, and

much inhumanitie not in some sorte to congratulate, wch I can doe noe otherways then by bestowinge my painfull & industriouse labor upon those little ones whome they have soe willingly comitted unto my charge. As touchinge the seconde I mean condicions, what man is he that will loose a competent maintenance for twentie marks and his diet for one yeare, and afterwards (peradventure) be forced to seeke untoe his olde freinds for anciant favour. Againe this yearly pencion (and I feare me more) must be laide out in a goun, a bed & such like comodities and at the yeares end (it may be) we must be constrained to packe them to London unto a broker and loose halfe in halfe. Well these are noe such greate matters but M^r Lymer might easily have contained them within the compasse of a letter if it had pleased him, allthoughe he say nay, and have saved me xx^s in my purce. Againe good S^r. pardon me if I bee so bolde (for I speake for my selfe) whose knoweth not, but this your memorable act will be published farre and neare, and beinge once knowne that you afforde such maintenaunce and that is one in place of a yeares triall, howe manie sutors shall you have in the behalfe of manie (more woorthie then my selfe) whose shall use such persuasive retorique unto you, that I feare me will be little for my good. These things considered (good S^r) have hindered my cominge vnto you, and I humble desire you not to take them in anie sinister respect, for I meane nothinge but trueth & plaine sinceritie of hart. Thus with my humble duty remembered vnto you & good M^{rs} Allen, with my kindest salut: vnto M^r Lymer I comitt you to god.

your worships ever to comande in what
he may. RICHARD BARLOW.

Newport Pagnell
May the 2, Ann^o. 1617.

There was no difficulty, however, in finding a schoolmaster, Mr. Edward Young being appointed and admitted on the 20th June 1617.

On the 7th of August 1617, the parish of St. Botolph's, in answer to a request from Alleyn, nominated three poor scholars in the following letter (MSS. iii. 76), which is endorsed, "The entreaty of S^t buttolph wthout " bishoppegate pish for receiving y^e children—granted " :—

To the worshipfull Edward Allin Esquire.

After our very harty commendations wee the parson and parishioners of the parish of S^t Buttolph wthout Bishopsgate London, whose names are hereunder written, doe hereby certefye you that as formerly we are oblidged unto you for yo^r Benevolence Alreadye extended to some of our poore parishioners. So now (by yo^r further Bountye Imboldened) accordinge to yo^r prescription wee (with due consideration) have made choyce of three children in our sayd parish whom (for God's cause) wee doe Intreat you to accept of into yo^r Schoole there to manifest yo^r works of mercy upon them to the glory of god, yo^r owne credit and ther comfort. The first of them is one Richard Merrydall about 10 years ould, the w^{ch} childe is both fatherlesse and motherlesse, the second is Simon Waddup about 8 years of age whose father is both very lame & past his labour, the third is one Thomas Shippey the sonne of a woeful & a distressed widdow & some 8 years ould: of the w^{ch} children may it please you to make acceptance. Wee shall (and they much more) bee ever bounde to prayse god for his

godnes towards them extended by you of whom in most Intyre love wee take our leave. this 7th of August Anno 1617. Restinge.

yo^r wor^{ps}. very loveinge ffrends

STEPH. GOSSON Rect.
 RAPHE PINDER Depeutt.
 THOMAS DENNYNG
 WM WHITTWELL } churchwardens.
 DOMINICK COMELY }

There is no document showing the nomination of the other boys, but the register shows the following admissions:—

March 29. Henry Layton of S ^t Saviors	Sept. 6. John Copland of S ^t Giles
Sept. 6. Christopher Jackey „	Richard Chalfont „
Sep. 6. Thomas Kayes „	Richard Pettifor „
Sep. 6. Richard Meridall of Bishopsgate	Sept. 6. Robert Man of Peckham
Thomas Shepey „	Edward Brazier of „
Symon Waddup „	Jo. Longs of Dullwich
	died March y ^e 11.
	Edw. Collins of Dull. in
	Longs' place.

These were, in accordance with the scheme of foundation, selected from the parishes named above, three from each, and though doubtless Alleyn received many applications from other places and from other people, they were all declined.

The following, from the Earl of Arundell, is among the number (MSS. iii. 68):—

M^r Allayn wheras I am geuen to vnderstand that you are in hand wth an hospitall for the succouring of poore old & the mainteynance & education of yong and have now almost perfected yo^r charitable worke, I am at y^e instant request of y^e bearer to desire you to accept of a poore fatherless boy to be one of yo^r number, of whose age & necessitie this said bearer will better informe you, w^{ch} if you shall doe at my request, I shall take kindly at yo^r hands, and uppon occasion requite it & rest

Yo^r loving frend

T. ARUNDELL.

Arundell house the xvijth of Septemb. 1616.

On the 20th September 1617, it is recorded that John Muggleton, one of the poor brethren from S^t Botolph's, "after many admonishions for "drunkenness and contrackt of mariag wase expeld." The contract was doubtless with Sarah Sheppard, one of the poor sisters from Camberwell, who is recorded as "went away to be marryed to Muggleton" in September of the next year, 1618.

It seems that thus early Alleyn had resolved that at least the poor

brethren and sisters should be single persons; in the statutes which he subsequently made, it was ordered that all the members of the foundation, and also the servants, should be so, but up to that time there was of course no law but Alleyn's will.

He, however, rejected a married man whom the parish of St. Botolph's presented in the room of Muggleton, and they amended their presentation in the following letter (MSS. iii. 78):—

From the parish of
S^t Botolphs Bishopsgate
London.

To the worshipfull Edward Allin Esquire

Our very hartly commendations beinge rendered. Whereas the last weeke upon the removall of Mugleston wee did commend unto you one John Woodhouse, who for that hee hath a wife could not obtayne yo^r acceptance to bee one of yo^r Beadsmen. Wee have therefore made choyce of one Edward Cullen the bearer heerof who is a single man and hath longe time bin one of o^r pentioners and for hee is aged & therefore past his labour and wthall knowne to vs to bee of good conversation wee are the more Imbouldened to commend him to you, desireinge that you would bee pleased to admit of him to bee a p^ticipator of yo^r deede of Charitye not doubtinge but hee will bee a very thankfull man both to god and you & so wth our best wishes for yo^r well-fare wee take our leave this first of September 1617.

Yo^r worp^s very loveinge ffrends

STEPH. GOSSON Rect	
RAPHE PINDER Deptt	
WM. WHITTWELL	} churchwardens.
DOMINICK COMELY	
RICHARD COWLAY	
SAMUELL FOORD	
EDMOND ANSELL	
WALTER STONE.	

From the date of this letter it would appear that Muggleton's expulsion had taken place some time before the date of the entry of the fact in the register.

A similar discrepancy in dates occurs immediately afterwards, for on the 7th October 1617, Alleyn enters in his account book, "Pd Cornelius Lymare his pencion £6. 13. 4.:" whilst in the register book he is "gon" on the 30th September. His place was not immediately filled up, but Mr. Young, the schoolmaster, became "chapline and schoolemaster," being assisted, however, by John Harrison, who was appointed Usher on the 20th November 1617, and who is styled by Alleyn in his diary on the 24th March 1617/8 "chapline and usher." Upon the 26th March 1618 Thomas Hopkins was appointed the first organist.

These appointments were good enough so long as Alleyn lived, but in

order that the College might not collapse at his death under the statute of mortmain, it was imperative that letters patent for its incorporation and endowment should be procured. There were, however, difficulties in the way, which perhaps were never anticipated, but Alleyn's Diary shows plainly what zeal and pertinacity were required to remove them.

On the 3rd July 1618, Alleyn "rod to Tuchborne (the scrivener) in y^e " morning," when they "drwe up y^e patten for y^e corporacion," and on the 8th he "went to M^r Attorney's about my fowndacion." On the 11th he "reced my pattent from M^r Attorney," who liberally refused to accept any fee, but Alleyn paid £5. 10. to Mr. Beale, £1. 2. to "his 2 " men," and "gave y^e chamber keeper" 5s. 6d., being £6. 17. 6. in all. On the 14th July he "rode to Wansted, wher y^e markques off Bucking- " hame vnderooke y^e Kinge's hand" for him. Leaving the patent with the Marquis, he sent Matthias Alleyn, his cousin, to Theobaldes on the 16th "to fetch y^e patent from my Lord off Buckingham." Matthias, however, returned without it, as it had in the due course of business to be sent to the Signet Office. The licence for the foundation was given on the 17th July 1618 (*Cal. State Papers*, 1611-1618, p. 555); and on the 18th Alleyn "rode to London," and took "water to y^e Signett office att Whight " Hall," a fruitless journey, which he repeated on the 22nd and on the 24th July. On the 3rd August he took a journey to Winchester, probably for the purpose of seeing the College there and examining its statutes; and on the 16th August he paid Mr. Anthony, one of the clerks of the Privy Seal, £8, "for my pattent passing y^e signett and prive seall." Whether he then learnt for the first time that the opposition to his patent proceeded from Francis Bacon, Lord Verulam, or whether he was previously aware of the fact, is not certain, but on the next day (the 17th August) he "went to London to y^e Lo: Chancellers about stayeing y^e " pattent."

Bacon, in his objections to the issue of the letters patent, only maintained the position which he had taken up several years before in connection with the Charterhouse; and the arguments which he then employed in his letter to the king (*Spedding, Life*, vol. iv., edn. 1868, p. 247), to show that foundations such as that of Sutton were productive of more harm than good to the community, had equal force against Alleyn's design. In consequence, probably, of Alleyn's visit, he wrote on the next day, the 18th August, to the Marquis of Buckingham (*Spedding, Life*, vol. vi., edn. 1872, p. 324), explaining why he had "stayed the Patent at the Great Seal." He tells the Marquis, "I now write to give the King an account of a " Patent I have stayed at the Seal: it is of license to give in mortmain " £800 land, though it be of tenure in chief, to Allen that was the player, " for an hospital. I like well that Alleyn playeth the last act of his life

“ so well ; but if his Majesty give way thus to amortize his tenures, the Court of wards will decay, which I had well hoped should improve. But that which moved me chiefly is that his Majesty now lately did absolutely deny Sir Henry Saville for £200, and Sir Edward Sandys for £100 to the perpetuating of two lectures, the one in Oxford, the other in Cambridge, foundations of singular honour to his Majesty and of which there is great want ; whereas hospitals abound, and beggars abound never a whit less. If his Majesty do like to pass the book at all, yet if he would be pleased to abridge the £800 to £500, and then give way to the other two books for the universities, it were a princely work, and I would make an humble suit to the King and desire your Lordship to join in it that it might be so.”

Notwithstanding this powerful opposition, Alleyn did not despair, but he visited the Lord Chancellor on the 29th August, and on the 18th September he paid one shilling “for ingrossing a particuler of y^e Capite lands to show my Lord Chancellor.” On the 13th and 26th of October he took “wine with Lord Chancellor’s gentlemen,” and there the matter rested until the 14th January, when he had another interview with the Lord Chancellor, but no result is stated. On the 26th of May 1619 Alleyn records, “I rec. my patten one more off M^r Attorney: giuen his men for he would take nothing £5. 13. 0. ;” and on the next day he “rode to Grenewich and gott y^e K[ing]es hand.” On the 7th June he “pd one more for y^e signett and privie selle £5. 0. 0.” The opposition of the Lord Chancellor being apparently now overcome, the great seal was affixed to the document on the 21st June 1619. On the 15th July Alleyn himself went “again to Lor Chancellor” for it without success, but on the next day, the 16th July, Matthias Alleyn at last “fetcht y^e great sealle.”

Besides the expenses already paid, which were considerable, the final payments were as follows :—

The charge of y^e great seale.

y ^e seale	8	13	0
y ^e dockett and rec.	0	03	0
y ^e inrowlment	2	00	0
y ^e deident	2	00	0
y ^e officers fee	2	13	4
for drawing, ingrossing and entering y ^e dockett	0	03	4
vellome and strings	0	17	6
y ^e clarek	1	00	0
	<hr/>		
	17	10	2
for vellome and ingrossing of y ^e first patent	1	06	8
	<hr/>		
	18	16	10

And for its better preservation five shillings were "p^d to Tomsons for a boxe to keep
"itt in." (See *Collier, Memoirs of Alleyn*, pp. 139, 140.)

THE LETTERS PATENT FROM JAMES THE FIRST
TO EDWARD ALLEYN, ESQ.

Dated 21st June, 17 James 1st, 1619.

James, by the Grace of God, Kinge of England, Scotland, France, and Ireland, Defender of the Faith, &c., To all to whome these p^{se}ntts shall come greeting. Knowe
D. Con sibi et yee that Wee out of the Spiall Grace and favour, Wee beare to our
hered. Edro trustye and welbeloved Servante Edward Alleyn of Dulwich, in
Alleyn. Ar tangen. our Countie of Surrey, Esqr., Chief Master Ruler and Overseer of
Colleg de Gods all and singular our games of Beares, Bulls, Mastive Doggs and
Guyfte in Dulwich Mastive Bitches, and of our certaine knowledge and meere mocon
in Com Surr. Have graunted and given licence, and by these p^{se}nts for us our
Heires and Successors, Doe graunte and give licence to the said Edward Alleyn, that
hee or after his decease, his Heirs, Executors, or Assignes, or every or any of them, for
and towards the relief, sustenance, and maintenance of Poore Men, Women and
Children, and the Educacon and Instrucon of the said poore Children may be
enabled and have full power and libertye at his and their wills and plesures to make,
found, erect, create and stablishe one Colledge in Dulwich aforesaid, in our said
County of Surrey, which shall endure and remaine for ever, and shall consist of one
Master, one Warden, fower Fellowes, sixe poore Bretheren, sixe poore Sisters and
twelve poore Schollers, to be mainteyned, susteyned, educated, guided, governed and
ruled according to such Ordinances, Statutes and Foundacon as shall bee made, sett
downe, established and ordayned by the said Edward Alleyn himselfe in his life time,
or any other p^{son} or p^{sons} after his death, such as shall bee especially nominated,
deputed, and appointed thereunto by him the said Edward Alleyn in his life tyme,
under his hand and seale in writing, for the maintenance, sustenance, educacon,
instrucon, guiding, government and rule of the said Master, Warden, fower Fellowes,
sixe poore Bretheren, sixe poore Sisters and twelve poore Schollers, and that the said
Edward Alleyn during his life and said other p^{son} or p^{sons} soe to bee nomynated,
deputed, and appointed by him in his life tyme under his hand and seale in writing
as aforesaid, shall have full power and ample authority to ordayne, make, create,
establish and found Ordinances, Rules, Constitucons and Statutes, for the more better
and orderly maintenance, sustenance, educacon, instrucon, guiding, government, and
rule of the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poor
Sisters and twelve poore Schollers of the said Colledge when and as often as need
shall require. And wee doe of our further grace and meere mocon will, ordaine,
nominate, and appointe that the said Colledge soe as aforesaid to bee erected, founded,
created and established by the said Edward Alleyn, his Heirs, Executors, or Assigns
in Dulwich aforesaid, shall be called and named The Colledge of God's Gift in
Dulwich, in the County of Surrey. And that the said Master, Warden, fower Fellowes,
sixe poore Brethren, six poore Sisters and twelve poore Schollers and ther Successors
when the same Colledge shall be so created, founded, erected, and established as
aforesaid, shall bee in deede and name one Body Corporate and Politique and one

perpetuall Cominallitye and shall have perpetuall succession for ever to endure. And that the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poor Schollers may sue and be sued, plead and be impleaded by and under the name of the Master, Warden and fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poore Schollers of the Colledge of God's Guifte in Dulwich, in the County of Surrey, in, for, and concerning all and all manner of accons, suits, plaintes, debtes, demaundes and causes whatsoever as well reall as psonall and mixte of whatsoever nature, kinde or qualitey they or any of them bee or may bee, before any Judges spirituall or temporall, and other secular Justices and persons whatsoever; and that the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poore Schollers, and every of them shall and may, by virtue of these psents, have a Comon Seale for the sealing, doeing, and performing of all Deeds, Writings, Matters, and Things touching the said Colledge which said Seale they shall and may lawfully break, alter, change and newe make as they shall thinke meete from tyme to tyme.

And further, Wee of our like speciall grace certaine knowledge meere mocon and at the humble request and peticon of the said Edward Alleyn Have given and graunted, and by these psentes for us our Heires and Successors, doe give and graunte to the said Master, Warden, fower Fellowes, six poore Brethren, sixe poore Sisters and twelve poore Schollers of the said Colledge of God's Guift of Dulwich, in the said Countye of Surrey especial licence and free and lawfull liberty, power and authoritye to gett, purchase, receive and take to them and their successors for ever, for the maintenance, sustentacon and relief of the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poore Schollers, and ther successors of and from the said Edward Alleyn, his Heires and Assignees, All that the Mannor or Lordshipp of Dulwich with all the rightts members Roialties and appurtenances thereunto belonging or in anywise appteyning scituate and being in the pish of Camerwell in our Countyes of Surrey and Kente or in either of them. And all that the Mannor House or Capitall Messuage with the Lands and appurtenances thereunto belonging in Dulwich aforesaid called Hall Place, alias Knowlis, And all those Lands, Woods and West Grounds with the appurtenances called Ricotes als Rigates in Dulwich aforesaid. And also All other the Mannors, Messuages, Lands, Teñts and hereditaments whatsoever which the said Edward Alleyn lately purchased of Sir Francis Calton, Knt, in Dulwich aforesaid. And also, all those eight messuages, tenements and hereditaments, with the appurtenances and forty five acres of Land, be it more or lesse, to the said messuages or tenements, belonging or appteyning sometime pcell of the freehold and coppiehold lands of the said Mannor of Dulwich, scituate, lyeing and being in severall places in Dulwich aforesaid, and called by the severall names of Howlettes, Ricotes als Rigates, Nappes and Stony Nappes, lately bought and purchased by the said Edward Alleyn of Sir Edmond Bowyer, Knight. And also that messuage or tenement with the appurtenances and fourteene acres of land, be it more or lesse, thereunto belonging, sometymes pcell of the copiehold lands of the said Mannor of Dulwich, lately bought and purchased by the said Edward Alleyn of John Bowyer, Esq^r. And also, all those fower messuages or teñts and hereditaments with ther and every of ther apptenances in Dulwich aforesaid, and three score and sixteene acres of land, be it more or lesse, thereunto belonging, the which said fower messuages or teñts and lands are called by the names of Great Bornes, North Croftes, Carter's Hall, Addington's Meade, Great and Little Brownings, and Carter's Garden, or by what other names soever they are called or knowne, lately purchased by the said Edward

Alleyne, of Thomas Calton Gent, brother of the said Sir Francis Calton, and Anne his wife, and of Henry Farre, in the County of Essex, Gent, and Prudence his wife being sometye pcell of the copiehold lands of the said Mannor of Dulwich. And also, all that messuage or teñt with the apptenances and thirteen acres of land, be it more or lesse, thereunto belonging, called Perrie-field in Dulwich aforesaid, being pte of the freehold lands of the said Mannor of Dulwich which the saide Edward Alleyne lately bought and purchased of on Thomas Turnor, of London, Gent. And also, all those three messuages or teñts with the apptenances and twenty fower acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid, being sometye pt of the freehold and copiehold lands of the said Mannor of Dulwich which the said Edward Alleyn lately bought and purchased of Ellys Parry, of London, silkweaver. And also all that messuage or teñt with the apptenances and thirteene acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid, sometymes pcell of the copyehold lands belonging to the said Mannor of Dulwich, and which the said Edward Alleyn lately bought and purchased of John Bury of Dulwich aforesaid, yeoman. And also, all that messuage or teñt with the apptenances in Dulwich aforesaid, and seaven acres of land, be it more or lesse, thereunto belonging, called Kenalls, being sometye pt of the free and copiehold lands of the said Mannor of Dulwich aforesaid, which the said Edward Alleyn lately bought and purchased of Thomas Emerson, Esq^r. And alsoe, all those messuages or teñts with the apptenances in Dulwich aforesaid, and nine acres of land, be it more or less, thereunto belonging, being sometime pcell of the copiehold land of the said Mannor of Dulwich, which the said Edward Alleyn lately bought and purchased of John Ewen, of Dulwich aforesaid, yeoman. And also, all that messuage or teñt with the apptenances and forty five acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid, being sometymes pcell of the copiehold lands belonging to the said Mannor of Dulwich and of late in the tenure or occupacon of John Townely, Esq^r, deceased. And alsoe, all those eighteene acres of pasture ground or thereabout, in the parishe of Lambeth in our said County of Surrey, and which the said Edward Alleyne lately bought and purchased of Sir Edward Duke, Knight. And also, all those messuages, lands, teñts and hereditaments with the apptenances in the pish of Sainte Butolphes without, Bishoppsgate, London, which descended and came to the said Edward Alleyne by and from his father Edward Alleyne, Gent, deceased, late servante to our late deare Sister Queene Elizabeth, of famous memory, deceased. And alsoe; all those messuages, lands, teñts, gardens, hereditaments and buildings of our said servante Edward Alleyn, called or known by the name of the Fortune, scituate and being in Whitecrosse Streete & Golding Lane, in that part of the pish of S^t. Gyles without, Creplegate, London, which is within the County of Midd, which the said Edward Alleyn lately bought and purchased of Danyell Gill, of the Isle of Man, and others. And also, all and singuler the Mannors, messuages, lande, teñts and hereditaments with the apptenances of our said Servant Edward Alleyn in Dulwich, Camerwell and Lambeth, in our Countyes of Surrey and Kente, or ether of them, and in the pishe of S^t. Butolphes without Bishoppsgate, London, and in Whitecrosse Streete and Golding Lane, in the pt of the parishe of S^t. Giles without, Creplegate, London, which is in our said County of Midd, and elsewhere soever, within the Realme of England, with all and singular their rights, members and apptenances whatsoever, or any such and soe many and such pte of the said Mannors, messuages, lands, teñts, and hereditaments, as the said Edward Alleyn shall think meete. And alsoe, all the L^{res} Patente, Indentures, Deeds, Evidences, Bonds and Writings concerning the premises or any of them, which shall be soe given and graunted by the said Edward Alleyn to the sayd Master,

Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the said Colledge and Hospitall of God's Guifte in Dulwich in the County of Surrey, soe to be created, founded, erected and stablished as aforesaid, and ther successors and all such condicons, warrants, vouchers, accons, suitts, entries, benefitts and demandes as shall or may be had by any pson or psons upon or by reason of them or any of them, although the premisses or any of them be holden of us immediately in Cheife, or by Knight's Service or otherwise howsoever, and without any licence or pardon of or for alienacon of them or any of them. The statute of Mortmaine or any other Act, Statute, Ordynance or Provision to the contrary thereof in anywise notwithstanding. And also, We doe of our further grace and favour and of our meere mocon and certaine knowledge for us, our Heires and Successors, give and graunt by these presents like license, power and authority unto the said Edward Alleyne his Heires and Assignes, to give, graunte and assure unto the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poore Schollers of the said Colledge of God's Guift in Dulwich, in the County aforesaid, so to be created, founded, erected and stablished as aforesaid, and ther successors, for the uses, intentts and purposes aforesaid, all that the said Mannor or Lordshipp of Dulwich, with all the rights members, Roialtyes and apptenances thereunto belonging, or in anywise appteyning, scituate and being in the pishe of Camerwell in our Countyes of Surrey and Kente or in ether of them; and all that the said Mannor Howse or cappittale messuage, with all the lands and apptenances thereunto belonging in Dulwich aforesaid, called Hall Place als Knowlis, and all those lands, woods, and wast grounds with the apptenances called Ricotts, als Rigattes, in Dulwich aforesaid. And alsoe, all other the said Mannors, messuages, lands, teñts, and hereditaments whatsoever, which the said Edward Alleyn lately purchased of Sir Francis Calton, Knight, in Dulwich aforesaid. And also, all those eight messuages or teñts and hereditaments with the apptenances, and forty five acres of land, be it more or lesse to the said messuages or teñts belonging or apptayning, scituate, lying and being in severall places in Dulwich aforesaid, and called by the severall names of Howletts, Rycotts als Rygates, Nappes and Stony Nappes and lately bought and purchased by the said Edward Alleyn of Sir Edmond Bowyer, Knight. And also, all that said messuage or teñt with the apptenances and fourteene acres of land, be it more or less, thereunto belonging, sometyme pcell of the copyhold land of the said Mannor of Dulwich, lately bought and purchased by the said Edward Alleyn of John Bowyer, Esq^r. And also all those said fower messuages or teñts and hereditaments, with ther and every of ther apptenances in Dulwich aforesaid, and threescore and sixteene acres of land, be it more or lesse, thereunto belonging, the which said fower messuages or teñts and land are called Great Bornes, North Crofts, Carter's Hall, Addington's Meade, Great and Little Brownings and Carter's Garden, or by what other names soever, lately purchased by the said Edward Alleyn of Thomas Calton, Gent, brother of the said Sir Francis Calton and Anne his Wife, and of Henry Farre, in the County of Essex, Gent, and Prudence his Wife. And also, all that said messuage or teñt with the apptenance and thirteen acres of land, be it more or lesse, thereunto belonging called Perrieffield in Dulwich aforesaid, which the said Edward Alleyn lately bought and purchased of on Thomas Turnor, of London, Gent. And also, all those said three messuages or teñts and hereditaments with the apptenances, with twenty and fower acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid, which the said Edward Alleyn lately bought and purchased of Ellis Parrie, of London, silk weaver. And also, all that the said messuage or teñt with the apptenances, and thirteene acres of

land, be it more or lesse thereunto belonging in Dulwich aforesaid, sometye pcell of the copiehold lands belonging to the said Mannor of Dulwich aforesaid, and which the said Edward Alleyn lately bought and purchased of John Bury of Dulwich aforesaid, yeoman. And also, all that the said messuage or teñt with the appurtenances in Dulwich aforesaid, and five acres of land, be it more or lesse, thereunto belonging called Kenalls, which the said Edward Alleyn bought and purchased of Thomas Emerson, Esq^r. And alsoe, all those said messuages or teñts in Dulwich aforesaid, and nine acres of land, be it more or lesse, thereunto belonging, which the said Edward Alleyn lately bought and purchased of John Ewen, of Dulwich aforesaid yeoman. And also, all that the said messuage or teñt with the appurtenances, and forty fyve acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid being sometyes pcell of the copiehold lands belonging to the said Mannor of Dulwich, of late in the tenure or occupacon of John Townley, Esq^r, deceased. And also, all those sayd eightene acres of pasture ground or thereabouts, in the pish of Lambeth, in our said County of Surrey and which the said Edward Alleyn lately bought and purchased of Sir Edward Duke, Knight. And also, all those said messuages, lands, teñts and hereditaments with the appurtenances, in the pish of S^t Butolphes without, Bishopsgate, which descended and came to the said Edward Alleyn by and from his said father Edward Alleyn, Gent, deceased. And also, all those said messuages, lands, teñts, gardens, hereditaments and buildings of the said Edward Alleyn, called or knowne by the name of The Fortune, scituate and being in Whitecrosse Streete, and Golding Lane, in that pt of the parish of Sainte Gyles without, Creplegate, London, which is in our said County of Midd, which the said Edward Alleyn lately bought and purchased of Daniell Gill, of the Isle of Man and others. And also all and singular the Mannors, messuages, lands, teñts and hereditaments with the appurtenances, of the said Edward Alleyn, in Dulwich, Camerwell and Lambeth, in our Countyes of Surrey and Kente, or in either of them, and in the pish of Sainte Butolphes without Bishopsgate, London, and in Whitecrosse Streete and Golding Lane in that pt of the pish of Sainte Gyles without, Creplegate, London, which is in our said County of Midd and elsewhere, within the Realme of England, with all and singular ther rightts members and appurtenance whatsoever, or any such and so many, and such pt of the said Mannors, mesuages, lands, teñts and hereditamentes, or of any pte thereof, as the said Edward Alleyn shall thinke meete. And also all Letters Patentts, Indentures, Deedes, Evidences, Bonds and Writings, concerning the premisses or any of them which shall be so given or granted by the said Edward Alleyn to the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poore Schollers of the said Colledge of God's Guift in Dulwich in the said County of Surrey soe to be created, founded, erected and established as aforesaid, and ther successors and all such condicions, warrants, vouchers, accons, suits, entries, benefitts and demands as shall be or may be had by any pson or psons uppon or by reason of them or any of them, although the premises or any of them be holden of us immediately in Cheife or by Knight's Service or otherwise howsoever, and without any licence or pardon for alienacon of them or any of them, the Statute of Mortmaine or any other Acte, Statute, Ordinance or pvision to the contrary thereof in anywise notwithstanding, and of our more ample and abundant grace certaine knowledge and meere mocon Wee have graunted and given licence, and by these presents for us our heires and successors doe graunte and give licence and authoritye to the said Edward Alleyn as long as he shall live and after his death to such pson or psons as hee shall in his life tyme noñiat, depute and appoint under his hand and Seale in

writing, and to every or any of them from tyme to tyme and as often as need shall require to make, ordaine, constitute and establish Statutes, Ordinances, Constitucons and Rules for the good and better maintenance, sustinance, releife, educacon, government and ordering as well of the said Colledge so to be created, erected, founded and established as aforesaid as of the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters and twelve poore Schollers and their successors for ever. And alsoe of all and every the said Mannors, messuages, lands, teñts and hereditaments herein formerly menconed, and the rentts, issues, revenues and profitts of the same, and that the said Statutes, Ordinances, Constitucons and Rules, so by him, them or any of them, to be made ordeyned or constituted, shall, for ever, and in all succeeding tymes, stand, be and remaine inviolable and in full force and strength in lawe to all construccons, intents and purposes, the same being not repugnant to our Prerogative Roiall, nor contrary to the Lawes and Statutes of this our Realme of England, nor any of the Ecclesiasticall Lawes Cannons or Constitucons of the Church of England which then shall be in force. And lastly—We doe of our further grace and favour, and of our meer mocon and certaine knowledge, and at the humble peticon and request of the said Edward Alleyn, create, nominate, ordayne and appointe our right trustye and wellbeloved councillor George, nowe Archbisshoppe of Canterbury, for and during his life, and after his death the Archbisshoppe of Canterbury for the tyme being in all succeeding tymes to come for ever to be the visitor of the said Colledge and to have full power and lawfull authority, [in] the same Colledge and the psons therein being to visit, order and punish according to the Ecclesiasticall Lawes and Constitucons of this our Realme of England, and according to such Lawes, Constitucons and Ordinances as shall be made, ordeyned and constituted by the said Edward Alleyn in his life tyme or after his death by any other pson or psons to be nominated, deputed or appoynted thereunto by him in his life tyme, under his hand and seale in writing as aforesaid. Although expresse mencon of the true yearly value or certaintye of the premisses or any of them, or of any other guift or Graunte by us or by any progenitors or predecessors to the said Edward Alleyn before this tyme made in these presents is not made or any Act, Statute, Ordinance, Provision, Proclamacon or restraint heretofore had, made, ordeyned or provided, or any other matter cause or thing whatsoever to the contrarye thereof in anywise notwithstanding. In witnes whereof We have caused these our L^{rs} to be made Patentts.

Witness Ourselfe att Westminster the one and twentieth day of June in the 17th year of our reign of England, France and Ireland and of Scotland the two and fiftieth. See MSS v. 29 & Muniment 581.

During the progress of these negotiations Alleyn by no means neglected the internal affairs of the Colledge. He records in his diary various particulars as to the old men and women. Several of them died, and their places were regularly filled up; some of the poor scholars were also apprenticed.

On the 29th September 1618 the preachership, which had been vacant since the retirement of Cornelius Lymer on the 30th September 1617, was given to Samuel Wilson, probably a relative of the Rev. Edward Wilson, the vicar of Camberwell. On the same day Edward Young, the schoolmaster, left, and John Harrison was promoted to that office, Martin

Symonds being appointed usher in his stead, Thomas Hopkins still remaining organist.

During the year 1618 three of the poor brethren died; and though it would seem from the diary that one of them at least was buried in the cemetery, the register does not record the fact. Two daughters of Matthias Alleyn, afterwards the first warden, were buried, viz. Jude on the 28th June, and Frances (who had been baptized on the 26th January) on the 6th February 1618/9.

In 1619 the diary records that Mr. Wilson, the preacher, absented himself for two weeks in July without leave, for which he was fined two weeks' salary, and that ten shillings were deducted from Mr. Harrison, the schoolmaster, "lacking certayne dwtyes by Him to be done."

Early in this year, arrangements were also, no doubt, made with Thomas Alleyn barber surgeon, the founder's cousin, and with Matthias Alleyn, also his cousin, who seems to have resided at Dulwich, and to have acted in many ways for him, whereby they were to be respectively the first master and warden of the College, though during Edward Alleyn's life they took no official part in its management.

The patent being obtained and all being ready, Alleyn on the 2nd August 1619 "rode to Croydon to y^e Lo: of Canterbury," probably on the subject of the foundation, and on the 6th August he "dind w. my Lo: of Canterbury and red to hym y^e Corporacion and fowndacion." On the 10th Sept: he "rode to London to envit Lordes to y^e creacion," on the 12th he "rode to y^e Lo: of Canterbury but he wase sick and cowld nott com." and finally on the 13th September 1619 he enters in his diary,

"This daye wase y^e fowndacion off y^e Colledge finish and ther wear present y^e Lord Chancellore: y^e Lo of Arondell, Lo Coronell Cieccll: S^r Jo Howland, Highe Shreue: S^r Ed: Bowyare: S^r Tho. Grymes: S^r Jo. Bodley: S^r Jo Tunstall: Inigo Jones, y^e Kinges Surveyer: Jo Finch, Counciller: Ric. Tayleboyce: Ric. Jones: Jo Anthony. They first herd a sermond, and after y^e instrument of creacion wase by me read and after an anthem they went to dinner."

A list of the courses follows, together with "the charg off y^e diner," for which the reader is referred to the diary.

The deed of foundation, read and subscribed by Alleyn on this occasion, is as follows:—

In the name of God: Amen. To all true Christian People to whome this present writing quadrupartite shall come: I, Edward Alleyn, of Dulwich in the countie of Surrey, Esquire, send greeting in our Lord God everlastinge. Whereas our Sovereigne Lord James, by the Grace of God, Kinge of England, Scotland, Fraunce, and Ireland, Defender of the Faith, &c., by his Highnes Lfes Patentes, under his great Seale of England, bearing date at Westminster, the one and twentieth day of June, in the

yeares of his Raigne of Englande, Fraunce, and Ireland y^e seaventeenth; and of Scotland the two and fifteth; did of his especial grace, certain knowledge and meere mocon, for him, his Heires Successors amongst other things, graunt and give licence to me, the said Edward Alleyn, that, I, or after my decease, my Heires, Executors or Assignes, or every or any of them, for, and towardes the reliefe, sustenance, and maintenance of poore Men, Women, and Children; and for the instrucon of the said poore Children, to be inabled and to haue full power and libertie, at mine and mine Heires, Executors, and Assignes will and pleasure, to make, found, erect, create and establish one Colledge in Dulwich, aforesaid, in the said County of Surrey, which shall endure and remaine for ever; and shall consist of one M^r, one Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers to be maintained, susteyned, educated, guided, governed and ruled according to such ordinances, statutes and foundation, as shalbe made, set downe, established, and ordained by me, the said Edward Alleyn, in my life time or by any other pson or psons after my decease: such as shall be specially nomiated, deputed and appointed, thereunto by me the said Edward Alleyn, in my life time, under my hand and seale in wrytinge, for the maintenance, sustenance, educacon, instrucon, guiding, government, and rule of the said Master, Warden, fower Fellowes, sixe poore brothers, sixe poore Sisters, and twelve poore Schollers. And our said Sovereigne Lord, King James, by the said Lfes Patente, of his further grace and meere mocon, did will, ordayne, noiate and appoint, that the said Colledge, so as aforesaid to be erected, founded, created, and established by me, the said Edward Alleyn my heires, Executors or Assignes in Dulwich, aforesaid, shalbe called [and named] The Colledge of Gods Guift, in Dulwich, in the countie of Surrey; and that the said Master, Warden, fower Fellowes, sixe poore Brethren, six poore Sisters, and twelve poore Schollers and their Successors, when the same Colledge shalbe soe created, founded, erected and established, as aforesaid, shalbe in deed and name one body corporate and politique, and one ppetuall cominalty, and shall haue ppetuall succession for ever to endure; and that the said Master, Warden, fower Fellowes, sixe poore Brethren, six poore Sisters, and twelve poore Schollers, may sue and be sued, plead and be impleaded, by and under the name of the Mr, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers, of the Colledge of Gods Guift, in Dulwich, in the Countie of Surrey, in for and concerninge all and all manner of accons, suits, plaints, debts, demaunds and causes whatsoever, as well reall as psonall, and mixt of whatsoever nature, kind or qualitie, they or any of them may be before any Judges, spirituall or temporall, and other seculer Justices, and psons whatsoever: and that the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers, of the said Colledge, and ewy of them, shall and may have a comon Seale, for the sealing, doing, and pforminge of all Deedes, Writings, Matters and things touching the said Colledge, which said Seale they shall and may lawfully breake, alter, change, and new mark as they shall thinck meete from time to time. And Whereas our said Sovereigne Lord King James by his said Lfes Patents, did, further of his like speciall grace, certain knowledge, and meere mocon, and at the humble peticon of me the said Edward Alleyn, give and graunt for him, his Heires and Successors especial licence, and free and lawfull libertie, power, and authoritie to the said Master, Warden, fower Fellowes, sixe poore Brethren, six poore Sisters, and twelve poore Schollers [of the said Colledge], to get, purchase, take and receave, to them and their successors for ever, for the maintenance, sustenance and relief, of the said M^r, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers, and their

successors, of and from me the said Edward Alleyn, my Heires and Assignes, all and singular the Mannors, messuages, lands, teñts and hereditam^u, with the apptenances, as are at large spiecf, menconed, recited and conteyned in the said L^{res} Patents, or any such and so many and such parte of the said Mannors, messuages, lands, teñts and hereditam^u, as I, the said Edward Alleyn, shall thinck meete. And whereas our said Sovereigne Lord King James, by the said L^{res} Patente of his more ample and abundant grace, certaine knowledge, and meere mocon, did graunt and give licence, for him, his Heires and Successors, to me the said Edward Alleyn as long as I shall live, and, after my death, to such pson or psons as I, the said Edward Alleyn, shall in my life time noiate, depute and appoint, under my hand and Seale in wrytinge, and to every or any of them from time to time, and as often as need shall require, to make, ordayne, constitute and establish, statutes, ordinances, constitucons and rules, for the good and better maintenance, susteynance and reliefe, educacon, government and orderinge as well of the said Colledge, so to be created, erected, founded and established, as aforesaid as of the said Master, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers, and ther successors for ever: and also of all and every the said Mannors, messuages, lands, teñts and hereditam^u in the said L^{res} Patente formerly menconed, and the rents, issues, revenewes and profits of the same; and that the [said] statutes, ordinances, constitucons and rules, so by me the said Edward Alleyn, in my life time, or by the said other psons or any of them after my decease, to be made, ordeyned, or constituted shall for ever, and in all succeeding times, stand, be and remaine inviolable, and in full force and strength in law, to all construccons, intents and purposes: the same being not repugnant to the prerogative roiall of our said Sovereigne Lord the Kinges Ma^{ty}, nor contrary to the Lawes and Statutes of this his highnes Realme of England, nor any the Ecclesiasticall Lawes, cannons, or institucons of the Church of England which then shalbe in force, as by the said L^{res} Patents, whereunto reference being had amongst other things more at large it doth and may appeare. Now Knowe yee that to the honor and glorie of Almighty God, and in a thankfull remembrance of his Guift and blessings bestowed upon me the said Edward Alleyn, and for the better maintenaunce, educacon, relief and sustenance of poore and needy people, Men, Women and Children, of the severall pishes of S^t Buttolphes, without Bishoppesgate, London, of S^t Saviour's in Southwarke of that pte of the pish of S^t Giles without Creplegate, London, which is in the Countie of Midd, and of the pish of Camerwell in the said County of Surrey, and I the said Edward Alleyn, by vertue and force of the said L^{res} Patent, and by the power and authoritie thereby to me graunted and given by our said Sovereigne Lord King James, doe by this my psent wrytinge quadruptite, bearinge date the thirteenth of September, in this pñte seaventeenth yeare of the raigne of o^r said Sovereigne Lord King James, make, found, erect, create and establish one Colledge in Dulwich, aforesaid, in the said Countie of Surrey, which shall endure and remayne for ever and shall consist of one Mr, one Warden, fower Fellowes, six poore Brethren, six poore Sisters and twelve poor Schollers. And also, I the said Edward Alleyn, accordinge to the libertie and power given me by the said L^{res} Patents, doe by this pñte wryting quadruptite, make, found, erect and establish Thomas Alleyn, Citizen and Barbor Surgeon of London, to be the first Mr of the said Colledge; Mathias Alleyn, of Dulwich, aforesaid, Gent, to be the first Warden of the said Colledge; Samuell Willson M^r of Artes; John Harrison M^r of Artes; Martin Simons, Clarke; Thomas Hopkins, Organist, to be the first 4 Fellowes of the said Colledge; James Sanders, John Jones, Henry Phillipps, John Colebrane, Walter Boane, Nicholas Kendall, to be

the first sixe poore Brethren of the said Colledge, Margaret Chapman, Magdalen Lee, Alice Man, Anne Kirton, Thomasin Stanley, Margart Barrett, to be the first sixe poore Sisters of the said Colledge; and Richard Meridale, Thomas Shippey, Simon Waddopp, Christopher Jackey, Thomas Keyes, Henry Leyton, John Copland, Richard Chalfont, Richard Pettifer, Robert Man, Edward Brasier, and Edward Collins, to be the first twelve poore Schollers of the said Colledge. And I give and graunt to the said Thomas Alleyn the M^r, Matthias Alleyn the Warden, Samuell Wilson, John Harrison, Martin Simons, Thomas Hopkins, the fower Fellowes, James Sanders, John Jones, Henry Phillipps, John Colbrane, Walter Boane, Nicholas Kendall, the sixe poore Brethren, Margaret Chapman, Magdalen Lee, Alice Man, Anne Kirton, Thomasin Stanley, Margaret Barrett, the sixe poore Sisters, and the said Richard Meridall, Thomas Shippey, Simon Waddop, Christopher Jackey, Thomas Keyes, Henry Leyton, John Copland, Richard Chalfont, Richard Pettifer, Robert Man, Edward Brasier, and Edward Collins, the twelve poore Schollers of the said Colledge ye offices and places aforesaid. To have and to hold the offices and places [aforesaid] in the said Colledge, to them the said Thomas Alleyn, Mathias Alleyn, Samuel Wilson, John Harrison, Martin Simons, Thomas Hopkins, James Sanders, John Jones, Henry Phillips, John Colebrane, Walter Boane, Nicholas Kendall, Margaret Chapman, Magdalen Lee, Alice Man, Anne Kirton, Thomasin Stanley, Margaret Barrett, Richard Meridall, Thomas Shippey, Simon Waddoppe, Christopher Jackey, Thomas Keyes, Henry Leyton, John Copland, Richard Chalfont, Richard Pettifer, Robert Man, Edward Brasier, and Edward Collins, and their successors, in the same offices and places in ppetual succession for ever, according to such statutes, ordinances, constitucions and rules, as shall hereafter be made, ordeyned, constituted, and established by me the said Edward Alleyn, in my life time, or by any other pson or psons after my death, such as I shall noiate, depute, or appoint hereunto, under my hand and Seale in Wrytinge in my life time. And Further I the said Edward Alleyn, by vertue and force of the said L^{res} Patents, and of the power and authoritie thereby to me given, do make, found, create, erect and stablish, as followeth, that is to saie, that the said Colledge shall for ever be called and named the "Colledge of God's Guift" in Dulwich, in the County of Surrey; and that the said M^r, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the said Colledge and their Successors, shalbe in deed and name one body Corporate and Politique, and one ppetual cominalty, and shall have ppetual succession for ever to endure. And that the said M^r, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the said Colledge, and their Successors, may sue and be sued, plead and be pleaded, by and under the name of the M^r, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the Colledge of Gods Guift, in Dulwich, in the countie of Surrey, in for and concerning all and all manner of accons, suits, plaints, debts, demaundes and causes whatsoev, as well reall as psonall, and mixt of whatsoev nature, kinde, or qualitie they or any of them may be, before any Judges spirituall or temporall, and other secular justices and psons whatsoever and that the said M^r, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the said Colledge and their successors and ewy of them, shall have a comon Seale for the sealing, doeing, and pforming of all Deedes, Wrytings, Matters, and things touching the said Colledge, which said Seale they shall and may lawfully breake, alter, chaunge, and new marke as they shall thinck meete from time to time; and that the said M^r, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the said Colledge, and

their Successors, shalbe psons enabled and capable in Lawe, in right and name of the said Colledge, and for the maintenance, sustenance and reliefe of them the said Mr, Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers of the said Colledge, and their Successors, to gett, purchase, receave and take to them and their Successors for ever, of and from me the said Edward Alleyn my Heirs and Assigns, all and singular the Mannors, messuage lands, teite and hereditament, with the apptenances as are at lardge spied, menconed, recited and conteyned in the said Lres patents, or any such and so many, and such part of the said Mannors, messuages, lands, teits and hereditament, as I the said Edward Alleyn shall think meete. In Witnes whereof, and that this my making, foundation erection, creation and establishing of the said Colledge, may the better and more safely be kept conteyned and be had in ppetual remembrance for all tymes to come, I the said Edward Alleyn have caused this Wryting quadruplicate, to be made and written, and have subscribed my name and set my Seale to every pte thereof, the said thirteenth day of September in the yeare of the raigne of our said souraigne Lord King James of England, Fraunce and Ireland, the seaventeenth, and of Scotland the three and fiftieth; and one originall of this said quadruplicate Deede, I will and doe assigne by these pnts, to remaine, and be kept contynually in the coñon chest of the said Colledge, where the [other] evidences of the said Colledge are to be and remayn. The second pte thereof to remaine and continually to be kept in the Vestrie of ye pish Church of S^t Buttolphes without Bishoppsgate, London, in such a chest or other convenient place wherein the evidences belonging to the said Church do remaine. The third pte thereof, to remaine and continually be kept in the Vestry of the said pish Church of S^t Saviours in Southwarke, in the said County of Surrey, in the chest, or such other place there, wherein y^e evidences belonging to the said Church and pish do remaine and are kept; and the fourth pte to remayne and continually be kept in the Vestry of the pish Church of S^t Giles without Creplegate, London, in such chest or other place, as is there used for the safe keeping of the evidences and Wrytings of the said Church and pish.*

Read, published, sealed and subscribed by the said Edward Alleyn the day
and yeare above written in the presence of

Fra: Verulam Canc.¹ Arundell.² Edw Cessil.³ John Howland.⁴ Edm. Bowyar.⁵ Tho. Grymes.⁶ Jo Bodley.⁷ Jo: Tunstall.⁸ Inego Jones.⁹ Jo: Finch.¹⁰ Ric. Jones.¹¹ Ric. Tailboys.¹² Edm. Howes Cronicer.¹³ Jo Anthony. Lionell Tichbourne Not. Pub. (MSS. v. 31 & Mun. 584.)

* The first of these "originalls" is now muniment 584; the second has been handed by St. Botolph's to the Guildhall Library for safe custody; the third is still among the records at St. Saviour's, but is much destroyed by damp; the fourth is no longer to be found either at St. Giles' or St. Luke's.

¹ Francis Bacon, Lord Verulam, Chancellor.

² Thomas Howard, Earl of Arundell.

³ Sir Edward Cecyll, afterwards Viscount Wimbledon, Lord-Lieutenant of Surrey.

⁴ Sir John Howland, High Sheriff of Surrey.

⁵ Sir Edmund Bowyer of Camberwell, J.P. for Surrey.

⁶ Sir Thomas Grymes of Peckham, J.P. for Surrey.

⁷ Sir John Bodley of Streatham, J.P. for Surrey.

⁸ Sir John Tunstall of Carshalton, J.P. for Surrey.

⁹ Inigo Jones, the King's surveyor.

¹⁰ Jo. Finch, afterwards Lord Finch, Lord Keeper.

¹¹ Richard Jones, secretary to the Lord Chancellor.

¹² Richard Talboyes, of the Inner Temple.

¹³ Edmond Howes, author of the Continuation of Stow's Chronicle, 1631.

The College being thus founded, the master of it, strictly speaking, was Thomas Alleyn, and Matthias Alleyn was warden; but these two took, as has been already said, no part whatever in the management during Edward Alleyn's lifetime. Indeed, they could not have done so, for, until the statutes were promulgated, no duties were defined for either of them; and even when the land at Dulwich was made over to the College in the next year, as the deed reserved a life interest in the rents to the founder, there was no estate to administer.

On the 19th September 1619 Alleyn records "y^t M^r Harisone "had leave to goe and prech att Becknam and he stayed all night "y^t one y^e mor(row) y^e schoole was vntaught and no servis red;" and again on the 2nd December "M^r Harrison fayld and wase away this day."

The preacher Mr. Wilson, and Mr. Harrison, seem both of them to have neglected their duties, especially the former, who, in January, February, and March 1618 "came nott" or "fayld" or "mist this day" on no less than six Sundays, so that "we had no sermon in after- "noone;" of the latter it is stated "md y^t yesterdaye (feb 2) Harrisone "went awaye wthout leave and stayd awaye from y^e schole all this daye."

On the 16th April 1620, being Easter day, Alleyn and his wife received the Holy Communion as usual with the pensioners, but on this occasion Alice Man, the poor sister from Camberwell, "was put by by M^r Harrisone "for incharitye."

On that day also "y^e chaple wase furnished wth basone and candell "sticke y^e children wth 10 surplices & y^e fellowes allsoe."

On the 10th May Alleyn "went to London to seal and acknowledg y^e "deed off my landes to y^e Colledge," and thus executed the following document called the Deed of Uses.

THE DEED OF GRANT OF LANDS TO DULWICH COLLEGE,

Dated 24 April, 18th James 1st, 1620.

Alleyne et Alleyn et all.	}	This Indenture made the fower and twentieth daie of Aprill, in the yeare of the reigne of our Sovereigne Lord James by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. that is to saie, of England, France and Ireland, the eighteenth, and of Scotland, the three and fiftieth. Betweene Edward Alleyne of Dullwich, in the Countie of Surrey, Esquire, of the one ptie, and William Alleyn of London, Esquire, and William Austen* of the Parish of S ^t . Saviors, in Southwarke, in the Countie of Surrey, Esquire, of the other ptie. Witnesseth that Whereas our said Sovereigne Lord Kinge James,
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* For some account of this William Austen see the *Life of Alleyn*.

by his Highnes Letters Patents under his greate Seale of England, bearing date at Westminster, the one and twentieth daie of June, in the seaventeenth yeare of his raigne, of England, France and Ireland, and of Scotland, the two and fiftieth, was most graciously pleased to graunt and give license to the said Edward Alleyn, to make, founde, erect, create and stablish the Colledge in Dulwich aforesaid, to endure and remayne forever, and to consist of one Master, one Warden, fower Fellowes, sixe poore Brethren, sixe poore Sisters, and twelve poore Schollers there to be mainteyned, susteyned, educated, guided, governed and ruled, and that the same Colledge should for ever be called and named The Colledge of Gods Guift in Dulwich, in the Countie of Surrey. And Whereas our said Sovereigne Lord King James, Did, by the same Lfes Pattents, give and graunt licence, power and authoritie to the said Edward Alleyn, his Heires and Assignes, to give, graunt and assure unto the said Master, Warden, fower Fellowes, sixe poore Brothers, sixe poore Sisters, and twelve poore Schollers, of the said Colledge of Gods Guifte, in Dulwich, in the Countie of Surrey, soe to be created, founded, erected and stablished as aforesaid, and their Successors for their mayntennce, sustentacon and reliefe forever. All that the Mannor, or Lordshippe of Dulwich, with all the rights, members, Roialties and appurtenances thereunto belonging, or in anywise appteyning, scituate, lying and beinge in the Parish of Camerwell, in the Counties of Surrey and Kent, or in either of them; and all that the Mannor Howse, or Capitall messuage, with all the lands and apptenances thereunto belonging in Dullwich aforesaid called Hall place als Knowlis. And all those lands, woods and wast grownds, with the apptenances called Ricotts als Rygatts in Dulwich aforesaid; and also All other the Mannors, messuages, lands teñts and hereditam^{ie} whatsoever which the said Edward Alleyn lately purchased of Sir Francis Calton, Knight, in Dulwich aforesaid: and also All those eight messuages or teñts and hereditam^{ie} with the apptenance, and forty-five acres of land, be it more or lesse, to the said messuage or teñt belonging or appteyning, sometime pcell of the freehold and copihold lands of the said Mannor of Dulwich, scituate, lying and being in seŵall places in Dulwich aforesaid; and called by the seŵall names of Howletts, Ricotts als Rigate, Nappes and Stoney Nappes, lately bought and purchased by the said Edward Alleyn, of Sir Edmond Bowyer, Knight; and also All that messuage or teñt with the apptennce and fourtéene acres, be it more or less thereunto belonging, sometimes pcell of the copihold land of the said Mannor of Dullwich, lately bought and purchased by the said Edward Alleyn of John Bowyer Esquire; and also all those foure messuages or teñts, and hereditamentes with their and eŵy of their apptennce in Dulwich aforesaid, and threescore and sixteene acres of land, be it more or lesse, thereunto belonging; the which said foure messuages or teñts and lands are called by the names of Great Bornes, North Crofts, Carter's Hall, Addington's Meade, Great and Little Brownings, and Carter's Garden, or by what other name soev^r they are called or knowne, lately purchased by the said Edward Alleyn, of Thomas Calton, Gent, Brother of the said Sir Francis Calton, and Anne his Wife, and of Henry Farr of (sic) in the County of Essex, Gent, and Prudence his wife, being sometimes pcell of the copihold land of the said Mannor of Dulwich; and also All that messuage or teñt with the apptennces, and thirteene acres of land, be it more or lesse, thereunto belonging called Perryfield, in Dulwich aforesaid, being part of the freehold lands of the said Mannor of Dulwich, which the said Edward Alleyn lately bought and purchased of one Thomas Turnor of London, Gent; and Also, all those three messuages or teñts, with t^e apptennces and twenty-four acres of land be it more or lesse, thereunto belonging to

Dulwich aforesaid, being sometimes pte of the freehold and copihold lands of the said Manor of Dulwich, which the said Edward Alleyn, lately bought and purchased of Ellis Parry of London, Silkweaver, and also All that messuage or teñt with th' apptennces and thirteen acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid, sometimes pcell of the copihold landes belonging to the said Mannor of Dulwich, and which the said Edward Alleyn lately bought and purchased of John Bury of Dulwich aforesaid, Yeoman; and also All that messuage or teñt with th'apptennces in Dulwich aforesaid, and seaven acres of land, be it more or lesse, thereunto belonging, called Kennall's, being sometimes pte of the free and copiholde land of the said Mannor of Dulwich, which the said Edward Alleyn lately bought and purchased of Thomas Emerson, Esquire; and also all those messuages or teñts with th'apptennces in Dulwich aforesaid and nyne acres of land be it more or lesse thereunto belonging, being sometime pcell of the copihold land of the said Mannor of Dulwich which the said Edward Alleyn lately bought and pchased of John Ewen of Dulwich aforesaid yeoman, and also that messuage or teñt, with the appurtennces, and fortie five acres of land, be it more or lesse, thereunto belonging in Dulwich aforesaid, being sometimes pcell of the copihold lands belonging to the said Mannor of Dulwich, and of late in the tenure or occupacon of John Townley, Esquire deceased; and also All those eighteene acres of pasture ground or there abouts, in the Parish of Lambeth, in the said County of Surrey, and which the said Edward Alleyn lately bought and purchased of Sir Edward Duke, Knight; and also All those messuages, lands, teñts and hereditaments, with th'apptennce in the Parish of St. Botulphes without Bishopsgate, London, which descended and came to the said Edward Alleyn, by and from his Father, Edward Alleyn, Gent, deceased, late Servant to Queene Elizabeth of famous memorie, deceased; and also All those messuages, lands, teñts, gardens, hereditaments and buildings of the said Edward Alleyn, ptie to these psentes called or knowne by the name of the Fortune, scituate and being in Whitecross Street and Golding lane, in that pte of the Parish of St. Giles without, Creplegate, London, which is within the Countie of Midd, which the said Edward Alleyn, ptie to these pnts, lately bought and purchased of Daniell Gill, of the Isle of Man, and others; although the premisses, or any of them, be holden of our said Souwaigne Lord the King's Majestie, that nowe is ymediately in Cheife, or by Knighte Service or otherwise, howsoever and without any licence or pardon for alienacon of them or any of them, the statute of Mortmayne, or any other act, statute, ordinance, or provision to the contrary thereof, in anywise, notwithstanding, as in and by the said Lfes Patents, amongst other things more at large it doth and maie apeare. And Whereas the said Edward Alleyn ptie to these pnts, according to the power and libertie given him by the said Lfes Patents by his writing quadruplicate, under his hand and Seale, bearing date the thirteenth daye of September, in the yeares of the raigne of our Sowaigne Lord King James of England, France and Ireland, the seaventeenth, and of Scotland the three and fiftieth, did, to the Honor and Glorie of Almighty God, and in a thanckful remembrance of his guifts bestowed upon him, did make, found, erect, create and establish one Colledge, in Dulwich aforesaid, in the said Countie of Surrey, which should endure and remaine forever, and should consist of one Master, one Warden, flower fellowes, six poore Brethren, six poore Sisters, and twelve poore Schollers, and that the said Colledge should forever then after be named the Colledge of God's Guift, in Dulwich, in the Countie of Surrey; and that the said Master, Warden, flower fellowes, six poore Brethren, six poore Sisters, and twelve poore

Schollers of the said Colledge, and their Successors, should be psons enabled and capable in Lawe, in right and name of the said Colledge; and for their maintenance, sustentacion and releife, to gett, purchase, receave and take to them and their Successors forever, of and from the said Edward Alleyn, ptie to these pnts, all and singular the Mannors, mesuages, lands, teñts and hereditamets with their appurtñces, as are at large specified, recited, menconed and conteyned in the said Lfes Patents, or any such and soe many and such pt of the said Mannors, messuages, lands, teñts and hereditamets, as the said Edward Alleyn, ptie to these pnts should thinke meete as in and by the sayd writinge quadruplite amongst other things more at large it doth and may appeere. This Indenture therefore further witnesseth that the sayd Edward Alleyn, ptie to these pntes for and in accomplishment and pformance of the power, libertie and authoritye given him by the said Lfes Patents, and for and in consideracon of a ppetuall maintennce, reliefe and sustentacon forever to be and remaine to the Master, Warden, fower Fellowes, sixe poore Brethren, six poore Sisters, and twelve poore Schollers of the said Colledge, called the Colledge of God's Guifte, in Dullwich, in the County of Surrey, founded, created, erected and established by the said Edward Alleyn, ptie to these pnts as aforesaid, and for diuerse other causes and consideracons, him the said Edward Alleyn, ptie to theis pnts hereunto especially moving. Hee, the said Edward Alleyn, ptie to theis pnts, is contented and pleased to graunt, covenant, condiscend, conclude and agree to and with the said William Alleyn and William Austen, in manner and forme following, that is to saye;—the said Edward Alleyn ptie to theis pnts Doth covenant and graunt for him, and his Heires, to and with the said William Alleyn and William Austen, and either of them, and their Heires by theis pnts, that hee the said Edward Aleyn ptie to these pnts, before the feast daye of the Nativitye of S^t John the Baptist next ensuing the daye of the date hereof, shall knowledge and leuie, or cause to be knowledged and leuied a Fine or Fines unto the said William Alleyn and William Austen, sur Cognisance du droit, as those which the said William Alleyn and William Austen shall have of the Guifte of the said Edward Alleyn, ptie to these pnts, before the Kings Majesties justices of the Comon Bench, of all that his the said Edward Alleyn, ptie to theis pntes, said Mannor or Lordshipp of Dullwich, with all the rights, members and apptennces thereunto belonginge, or in any wise appteyning, scituate and beinge in the Parish of Camerwells als Cambwell, in the said Counties of Surrey and Kent, or in either of them. And of all that the said Mannor, or capitall Messuage, with all the landes and apptennces thereunto belonging in Dulwich aforesaid, called Hall Place, als Knollis. And all those lands, woods and wast grownds called Rycotts als Rigats, in Dulwich aforesaid. And also of all other the said Mannors, messuages, lands, teñts and hereditamts whatsoever, which the said Edward Alleyn ptie to these pnts lately purchased of Sir francis Calton, Knight, in Dulwich aforesaid; and also, of all those eight messuages or teñts and hereditamts with their apptenances and fortie five acres of land, be it more or lesse to the said messuages or teñts, belonging or appteyning scituate lying and being in sewrall places in Dulwich aforesaid and called by the sewrall names of Howletts, Ricotts als Rigats, Napps and Stony Napps, and lately bought and purchased by the said Edward Alleyn ptie to these pnts of Sir Edmond Bowier, Knight; and also of that said messuage or teñte with th^e apptences and fourteene acres of land, be it more or lesse, thereunto belonginge, sometymes pcell of the copihold land of the said Mannor of Dulwich, lately bought and purchased by the said Edward Alleyne ptie to

pents of John Bowiar, Esquire; and also of all those said fower messuages or teñts and hereditam̃ts with their and ewry of their apptennce in Dulwich aforesaid, and thre score and sixteene acres of lande, be it more or lesse, thereunto belonging, the which said fower messuages or teñts and lands are called Great Bornes, North Crofts, Carter's Hall, Addington's Meade, Greate and Little Brownings and Carter's Garden, or by what other names soever lately bought and purchased by the said Edward Alleyn ptie to these pnts of Thomas Calton, gent, brother of the said Sir ffrancis Calton and Anne, wife of the said Thomas Calton and of Henry Farr in the Countie of Essex, gent, and Prudence his wife; and also of all that said mesuage or teñte with the apptennce and thirteene acres of land, be it more or lesse, thereunto belonging called Perrey Feild in Dulwich aforesaid, which said Edward Alleyn ptie to these pnts, lately bought and purchased of the said Thomas Turnor, of London, gent; and also of all those said three messuages or teñts and hereditam̃ts with th'apptennces with twentie and fower acres of land, be it more or lesse, thereunto belonging in Dullwich aforesaid, which the said Edward Alleyn ptie to these pnts lately bought and purchased of the said Ellis Parie, of London, silkweaver; and also of all that said messuage or teñte with the apptennces and thirteene acres of land be it more or lesse, thereunto belonging in Dullwich aforesaid, sometimes pcell of the copihold lands belonging to the said Mannor of Dulwich, and which the said Edward Alleyn ptie to these pnts lately bought and purchased of the said John Bury, of Dulwich aforesaid, yeoman; and also of all that messuage or teñte with th'apptennces in Dulwich aforesaid and seaven acres of land, be it more or lesse, thereunto belonging called Kennalls, which the said Edward Alleyn ptie to these pnts bought and purchased of the said Thomas Emerson, Esquire; and also of all those said messuages or teñts and nyne acres of land in Dulwich aforesaid, be it more or lesse, thereunto belonging, which the said Edward Alleyn ptie to these pnts lately bought and purchased of the said John Ewen, of Dulwich aforesaid, yeoman; and also of all that said messuage or teñte with the apptennces and fortie five acres of land, be it more or lesse, thereunto belonging, in Dulwich aforesaid, beinge sometimes pcell of the copihold lands belonging to the said Mannor of Dulwich and of late in the tenure or occupacon of the said John Townley, Esquire, deceased; and also of all those said eighteene acres of pasture ground, or thereabouts in the said parish of Lambeth in the said Countie of Surrey, and which the said Edward Alleyn ptie to theis pnts lately bought and purchased of the said Sir Edward Duke, Knight; and also of all those said messuages, lands, teñts and hereditaments with the apptennces in the parish of S^t. Bottolphes without, Bishopsgate, London, which descended and came to the said Edward Alleyn ptie to these pnts by and from his said ffather Edward Alleyn, gent, deceased; and also of all those said messuages, lands, teñts, gardens, hereditam^{ts} and buildings of the said Edward Alleyn ptie to these pnts called or knowne by the name of the ffortune, scituate and beinge in Whitecross Street and Golding Lane in that pte of the parish of S^t Giles without, Crepplegate, London, which is in the said Countie of Midd, and which the said Edward Alleyn ptie to these pnts, lately bought and purchased of the said Daniell Gill, of the Ile of Man and others, by what name or names whatsoev the premisses or any pte or pcell thereof they bee called or knowne by, or by what number of acres, or of what kind of land they or either of them be called or knowne. In and by which ffyne or ffynes the said Edward Alleyn ptie to these pnts shall knowledge all and singuler the Mannors, messuages, lands, teñts, buildings and hereditam^{ts} aforesaid with their and ewy of their apptennences to be the right of the

said William Alleyn and William Austen as those which the said William Alleyn and William Austen have of the gift of the said Edward Alleyn pte to these pnts and the same the said Edward Alleyn pte to these pnts shall remise and quit claime from him the said Edward Alleyn pte to theis pnts and his heires to the said William Alleyn and William Austen and their heires or to the heires of one of them forever. And further the said Edward Alleyn by the same fine or ffines shall graunt for him and his heires to warrant all and singular the said Mannors, messuages, lands, teñts, buildings and hereditam" with their and every of their apptennences to the said William Alleyn and William Austen and to the heires of one of them, against the said Edward Alleyn pte to theis pnts and his heires forever. And it is further concluded, condiscended and agreed by and betweene the pties to theis pnts that the said fine or fines so to be levied as is aforesaid, of all and singular the premisses or of any pte thereof, and of all other conveyances of the premisses or any pte thereof to be made to the said William Alleyn and William Austen shall remayne and bee, and the said William Allen and William Austen and either of them and their heires and the heires of the survivor of them after the said ffyne or ffynes levied in forme aforesaid shall stand and be seized to the sole and onlie uses and behoofs hereafter menconed, and under such condicons, provisoos declaracons and lymitacons, and in such manner and forme as hereafter in these pnts is expressed and declared, and not otherwise nor in any other manner nor to any other use, behoof, uses, devises, intents or purposes whatsoever, that is to saie, of all and singular the said mannors, messuages, lands, teñts, buildings and hereditam" with all and ewy the premises & with their and ewy of their apptennences to the use of the said Edward Alleyn pte to theis pnts for terme of his naturall life without impeachment of any manner of wast, and ymediately from and after the decease of the said Edward Alleyn, pte to these pnts the said William Alleyn and William Austen and the survivor of them and their heires and the heires of the survivor of them shall stand and be seized of all singular the said mannors, messuages, lands, teñts, buildings and hereditaments and of all other the premisses with all and ewy their apptennences to the sole and only use of the then Master, Warden, fflower ffellowes, six poore Brethren, six poore Sisters and twelve poore Schollers of the said Colledge called the Colledge of God's Guift in Dulwich, in the Countie of Surrey, and of their successors for ever and to no other intent, use or purpose whatsoever. Provided Alwaies and it is further covenanted, condiscinded, concluded and agreed by and betweene the pties to these pnts, that notwithstanding any use or uses, estate or estates before in these pnts expressed, lymitted appointed or declared, it shall and maie be lawfull to and for the said Edward Alleyn partie to theis pnts at all tymes and from time to time during his life to make or graunt any lease or leases by writing indented or otherwise of all and singular the said mannors, messuages, lands, teñts, buildings and hereditam", and other the premisses conteyned, specified or comprised in these pnts or of any pte or pcell thereof for such number of yeares or lives as the said Edward Alleyn pte to theis pnts shall thinck fitt, and to make, graunt by copie of Court Roll of any of the said copihold teñts of the premisses in Dulwich aforesaid to any pson or psons according to the custome of the said mannor of Dulwich, reserving the accustomed rents thereof or more, the same rents to be due and payable during the contynuance of the same lease or leases, graunt or graunts, interest or interests. In Witness whereof the parties abovesaid to theis pnte Indentures intchangeably have sett to their sewall hands and seales the day and yeare first above written.

EDWARD ALLEYN.

Et Memorand qd decimo die Maij ann supscr pifat Edwardus Alleyn Ar venit

deco Dno Rege in Cane sua et recognovit. Inden pred ac oia et singula in eadem content et spificat in forma supdca. Irr decimo die Maij ann pr'dict.

This is a true copy from the original Record remaining in the Public Record Office, having been examined.

Sealed, signed and delivered in the pnce of
us Leonell Tichborne, Tho Martin,
John Hughes.

vera cop. ex^a. p. Geo. Brome clrc

Coll p'dicti

WILL: JENKINS.

From the above deed it will be seen that, although the lands were transferred to William Alleyn and William Austen, a life interest in the whole of the revenues was reserved to Edward Alleyn, and consequently, whilst he lived he remained the sole manager of the affairs of the College.

On the 4th June another act of insubordination is recorded of Mr. Symonds, the usher, who "went whether I would or no and came nott." On the 15th June three young gentlemen were received as boarders, as appears by the following entry: "Md y^t Mr Rogers sent this daye his 3 "sones att board & scholling for 12th. p. ann. a peece." Another boarder was also admitted on the 12th September, on which day "Mr Woodward's "sone came to soiorne & be taught here at 20th. per ann."

The bad conduct of Alice or Aylec Man, the Camberwell sister before mentioned, caused her to be mulct of her whole month's pension on the 22nd June. On the 10th July, Tom Brinkester, a boy who, though not on the foundation, had been "put unto Alleyn on the 10th November "1618 by Decon & His wife she being his Aunt to keepe Hym as long as "I will for meat drink & aparell" "wase bound to T. A. for 8 years," T. A. being probably Thomas Alleyn, barber surgeon and master designate of the College.

At the end of this quarter, viz^t. on the 28th September 1620, it is recorded in the Register Book that both Samuel Wilson and John Harrison, the preacher and schoolmaster, were "gon." The frequent irregularities of the preacher sufficiently account for his departure, and the MSS. fully disclose the reason of Mr. Harrison's leaving.

Alleyn had had in his service for some time Anne Alleyn, a daughter of his cousin Edward Alleyn, Glover, of Newport Pagnell, from whom there are nine letters extant (MSS. iii. 109), some of them referring to the fact. Her quarter's wages of ten shillings were duly paid on the 24th June 1620, and on the 3rd October is the entry, "This daye Nan Allen went "away, given her £1. 2. 0."

This Anne Alleyn, Mr. Harrison secretly married, but it is not clear whether the event had taken place while she was still her kinsman's servant or afterwards.

Harrison addressed to Alleyn the following letters, all undated, the first of which must have been written soon after his leaving the College, and the two latter after the birth of a son; as the last refers to "Pascha" or Easter as near at hand, it appears likely that they were really married in the summer of 1620.

I. (MSS. iii. 85).

Worpⁿ. Sr. Not vnfitlye is it spoken of y^e Poett (Dicere quæ puduit scribere jussit Amor) w^t shamefastnes forbids to speake, love comandes to write, like another Alured about a match not wth Spaine, but mine owne. Whereas whether to yo^r knowledge o^r w^{thout} yo^r knowledge, there hath bene affections bred & combined betwixt yo^r kinswoman & mee, & now vnited in a more sure manner then I prsume yoⁿ know of: though many & sundry causes & of them not a few to me have seemed somew^t more serious, then peradventure in other mens Judgements they are, caused mee to conceale this matter even from yo^rself, to whom I confesse it ought to have bene first impted, w^{ch} though it come now a day after y^e faire, yet I hope not after y^e acceptance nor after the desire of yo^r best wishes upon it. To Implead any mediate cause in this or that kinde, were to be reputed rather like Eues defect, a crime then Argument of this conclusion & therefore not humane, much lesse Schollerlike. Onely I appeale to the everlivinge god, who (I do verily beleve) had an extraordinary hand in it, as is best knowne to myself by the passages thereof betwixt vs, & I hope he hath ordeined it to both o^r good to meward I verily beleve: If it please god to doe so much by me to herward. To satisfye then yo^rself whom I know none ought more to expect it then yo^rself (settinge aside both o^r parents if extant): The conclusions were so hasty betwixt us w^{ch} (I confess) argues want of Judgment (certes in me) that I did vndergoe this concealed course for diverse reasons viz^t.

1. If the wordle had noted my supposed folly in so affectinge, it might happily have prevented my fortune (the question is whether better o^r worse).

2ly. She was under the name of yo^r seruant I know no other, & it would have been thought vnfit in my poore Judgmt y^t a ministers wife should have served tables, especially the wife of one (be it spoken w^{thout} Arrogancye) y^t hath taken y^e degree of a M^r of Artes.

3. If consent on all sides had bene granted & the marriage more publickly celebrated, there might have been more Adoe then needed & expenses greater then I am sure there are, & I less contented lovinge plainenes.

4th. The nature of this place moued me much to this silent course because I am & was alwayes loath to be a pjudice to any future statute, w^{ch} I have conceived to have been intended by you, howsoever I thought it would be less offensive o^r pjudiciall to yo^rself, whom in this case I confess, I onely respect. Be it so, thes reasons may be reputed no reasons. Blamed I may be, shamed I cannot be, in this action because honest & godly. Other reasons I could alledge as likely consequences of the former.

1. As in respect of y^e Inconueniences w^{ch} might have happened vppon it, as appeared evidently (at the not to be mentioned distast you had of me not longe since) & other occasions in the like nature I could instance in.

2ly. The now breeding estate of yo^r schole wth if it be intercepted before it come to a fuller growth, a greater Inconvenience may happily arise, then yo^u expect & others suggest vnto you, though I confess I not so worthy as I could wish.

3. Other occasions in another nature wth I leave to yo^r mature Judgem^t & consideration w^{thout} my Advise & declaration. If there be any other error (as far as I see) it is to myself y^t I ppared myself like an Atlas or an Asse to beare, as quæstionless y^e wordle, so soone as it comes to light, may repute me, consideringe w^t matches I might haue had if carefull of my self though now through my Inconsideratenes I seeme to stand at y^e Hazardes mouth, yet two thinges my Counsel, my hope & love; the first to god, an Allsufficient father, who will not suffer me to fall though I know some fatt Bulls may thrust sore at me to make me fall, nor to want seinge I haue often prayed & in part learned to be content wth w^t estate soever knowinge y^t godlines is the onely true gaine; the second y^e loue reciprocally betwixt her & me in y^e truest concent, y^t (I ptest) in respect of my Assurance y^t god hath bestowed on me an honest & vertuous & well disposed maide, I would not (I once againe protest) exchange, obseruinge the course of the wordle, for y^e revenue of y^e best man in this pish (wth for ought I know is yo^r self) so much I esteeme an honest & godly mind beyond Riches. Yea though I should not acquire one farthinge by her, yet I hope to be happy wth her, you may Impose rashnes by cause not bitt with the wordle, I impute beleefe the Basis of a liuely hope. Thus (wth many others) castinge myself on yo^r (I must confess) foretasted curtesye, I doubt not y^t yo^u will thinke me vnworthy of yo^r kinswoman, because y^e thinge Hath proceeded thro y^e Lord, who hath thought me worthy, nor my ffreindes thinke me too worthy of one so well qualified, but wth yo^r ffavours & their ffurtherance we may loue & liue to gods glory, yo^r good likinge, o^r frendes comfort & o^r owne soules health & happines. And though I cannot adde to yo^r happines wth (god be thanked) god hath so largely bestowed on you. Yet peradventure somew^t to yo^r use & I rather crave a free dismissee then be any prejudice, wth I think cannot be Durante vita vestra wth I pray god longe continue to yo^r endless happines & y^e comfort of many to whom god hath made you a foster father: or els rather then I should admitt any disgrace wth may many wayes happen in respect of myself o^r my wife: I pray god direct yo^u aright herein to his further glory & the mutuall love of yo^u & us. Thus daly prayinge for yo^r welfare & yo^r Bedfellowes I rest euer

Yo^{rs} not so much in tongue as
affection :

JO: HARRISON.

II. (MSS. iii. 86).

Wo^u S^r my dutye & love wth my wiues Remembred. Occasion & desire seeme to diuide me th^{one} administring hands to my pen th^{other} psence wth my desires. It hath pleased god to send me a son, desire makes him yo^r Godsonne, in your colledge god sent him a ffather & my wiues desire wth mine is that god might send him also in the same place a Godfather, y^t the place of his generation might be seconded wth a better help of his regeneration. Pardon my psumption (I pray you) not necessitie but speakinge affection compells me, I was at Dulwich upon Thursday att London yesterday to have speake wth you but missinge the opportunitye I was unwillinge to communicate my desires wth any but yo^rself, I did desire to have speake wth you rather but was letted, as yo^u see not by neglect but occasion. If it might stand wth

yo^r likinge I should as I am be much obliged, other more I haue in election vpon their hours wth I have felt from them. But yo^rself y^e first wheele of my Clocke if it may prove in time, tomorrow in the afternoone (god willinge) is y^e time & my preachinge here in y^e afternoone causeth me to be vnmanerly to visitt you by letter. Thus hopinge you will take all in best sence, I rest euer wth my duty to yo^rself & yo^r lovinge wife

Y^r wo^rp deuoted

JO: HARRISON.

III. (MSS. iii. 87).

Wor^d S^r I am bold to second my first letter, I am glad I sent I remember well a ffrench proverbe ffaire wordes deceive wise men & fooles. I thought time or grace had eaten out or at least moderated passion from Ira to odium, to keep Residence. In the end it will be bitternes as Abner told Joab. I sent not y^e I needed but wanted a godfather, but it seemeth some aggreauance did deteine you. I thanke god, my minde was free, (though I have bene of opinion I had cause to speake first,) but Deus Judex, to reward every man wth just Judgment. *Vulgus amicitias vtilitate probat*, I haue thought you not so vulgar, nor so vulgar, as to be ledde by profit & yett you might have made as much vse of me ex domo as in domo. Yo^r loue may not hurt me, yo^r hate hurt yo^rself *nemo loeditur nisi a seipso*, howsoeuer, *Puluis & umbra sumus, moriendum est Judicandum est*. We must die & come to judgm^t & god respects not persons

{Cor dedit Deus } Bonum
{Cor Inclinat Deus } Bene

My wife had gott a scribe as gott some of yo^r spiritt but I by chance pvented it least euill wordes should corrupt good manners, for I partly know womens weeknes. Whatsoeuer you thinke of me, this I will say as S^r Austin to Dardanus, though you rich I poore though you wise I foolish, yet this I will stand too, you haue not a Better god nor a more faithfull Redeemer, thus consideringe that Pascha is at hand when peace should in the heart, if I knew wherein I have giuen just cause of quarrell I would shew my self a christian (though euery one best feeles their owne wronges) remembringe my guide & conduct Christ Jesus who hath taught me to forsake myself & take another course then my Passions would leade me. Thus desiringe god to give vs both true vnderstandinge in the wayes of Godliness. I rest

A poore servant of Jesus Christ

JO: HARR.

Mat. 5. 23, 24 ; Mark 11. 25, 26 ; Coll. 3. 13, 14 ; Pro. 26. 20.

Whatever may have been Alleyn's feelings at the time of his discovery of the marriage, and although he refused to be godfather to her child, he ultimately bore no ill-will to Anne Harrison, for in his will appears the following bequest to her :—

“Item,—I give to Anne Alleyn, the now wife of John Harrison, Clerk, “the sum of twenty pounds.”

The places of preacher and schoolmaster vacated by Mr. Wilson and Mr. Harrison were filled up by the appointment of Robert Vance to the

preachership, and the promotion of Martin Symonds, the usher, to be schoolmaster. Mr. Peter Symonds is entered in the register as being admitted usher on the 28th September 1620, but the diary shows that he was only on trial; for in the entry of the payment of salaries on the 15th January 1620/1, it is noted:—

“Peter Symonds by approbation, 0. 0. 0.”

The boarders who had been admitted did not stay long at the College, for on the 28th October 1620, Alleyn notes that “y^e 3 rogers went away,” and on the 13th January 1620/1, “Woodward is gone.” Another boarder was, however, received, one of the entries being December 30, 1620, “Yesterday Ric Caulden came here to bord.”

On the 27th January 1620/1, the diary states, “Md this day I took a “pore fatherless child Ed Alleyn.” On a subsequent occasion a person of this name put forward a claim to be of founder’s kin through John, the son of John, the founder’s brother, but it was proved that the said John died unmarried. From the wording of the above entry, and from this circumstance, it has been surmised that the “pore fatherless child” may possibly have been a natural son of the founder’s nephew.

On the 30th April 1621, Alleyn “went to towne & plact 3 men & “7 weomen in y^e Howses off finsbury Lyberty y^e building cost in “all 200. 0. 0.”

This refers to the Almshouses which he had built in the parish of St. Giles, Cripplegate. He contemplated building similar almshouses in the parishes of St. Botolph’s and St. Saviour’s, which, however, he did not accomplish in his lifetime, but in his will directed his executors to build them. It will be seen that the foundation thus accomplished, and his intentions as to the others, played a very considerable part in the subsequent history of the College.

On the 20th of May, being Whitsunday, Aylec Man, the poor sister mentioned several times, was again refused the holy communion, as she “wase not in chary (charity),” and she was also again deprived of her pension. This seems to have been the last chance given her of reformation, for on the 18th August Alleyn records that he “pd ye pore ther pencion “all but Man who stud expulsed.” Thus of the two first sisters whom he had himself appointed, Sarah Shepherd and Alice Man, the former went away to be married to Muggleton, and the latter was “expulsed for ungodly “and unquiet life.”

Peter Symonds, the usher, remained on “approbation” until Michaelmas 1621, his name being omitted when the quarterly payments to the fellows are recorded; but on the 28th October he received £3. 6s. 8d. This was a first and final payment, for on the 3rd November an entry states “Peter “Symonds wase gon.” A subsequent entry shows that he went away to

be married; for on Sunday the 3rd February 1621/2, "this daye petter Symonds & Hys wife & his brother dined here & yeomans Symonds pretcht Here His first sermon." Robert Vance, the preacher, was also "gon" on the 24th December 1621, when John Gifford was admitted in his place, and Christopher Reuthen became usher instead of Peter Symonds.

The Register Book states that Thomas Hopkins, the organist, left in September 1622, though an entry in the diary on Monday the 26th August, "pd M^r Hopkins His pencion dwe to ½ (Saturday) last £1. 10.," would point to a slightly earlier date; Benjamin Cosyn was appointed in his stead on the 28th September.

In the next year, 1623, it is recorded that "Joane Alleyn y^e wife of Edward Alleyn esquire & founder of this Colledg of Gods gifte departed this life y^e eight & twentieth of June & was buried in y^e chappell of y^e same colledge y^e first day of July following."

It will be seen in the life of Alleyn that he, almost immediately after this event, contemplated a second marriage; and this circumstance may possibly have induced him to reduce his expenses, and so account for the facts that the three senior fellows, John Gifford the preacher, Martin Symonds the schoolmaster, and Christopher Reuthen the usher, all left on the 28th September 1623, and that only one appointment was made in consequence, viz. that of William George to the double office of "Preacher and Schoolmaster" on the 30th September; the establishment being thus reduced to two fellows.

Alleyn's marriage with Constance Donne took place on the 3rd December 1623. On the 25th March 1624, Matthew Sweetser was admitted second fellow or schoolmaster, but on the 16th June Cosyns the organist left, being followed on the 1st July by the first fellow or preacher, William George, and no successors to them being appointed, Sweetser was for some time the only fellow.

In this year two poor brethren and a poor sister died, and were buried in the College burial-place, being the first recorded in the register as buried there since 1616, though several had died.

On the 17th January 1624/5, Walter Gibbs was appointed "Music Master," or Organist, there being thus now two fellows. Four poor brethren and one poor sister died during the year, and were buried at Dulwich. One of these poor brethren and three other persons are recorded as having died of the plague.

On the 22nd February 1625/6 one of the vacant fellowships was filled up by the appointment of Charles Faldo as third fellow or usher, but Walter Gibbs, the organist, resigned on the 3rd May 1626. On the 25th August another of the vacant places was occupied by Joseph Reding being admitted preacher; and finally Alleyn, during his fatal illness, and little more than a

fortnight before his death, completed the number of fellows by giving the place of organist to Henry Dell on the 8th November.

It is plain that the Founder, knowing himself to be in extreme danger of death, had the welfare of the College clearly in his mind. He had doubtless long before prepared the statutes and ordinances authorized by the Patent of King James, but was reluctant to sign them until the last possible moment. He did sign them on the 29th September, thinking, probably, that further delay was dangerous, and on the 13th November he also executed his last will.

On the 20th November he added two clauses to the statutes, in the first of which he reserved to himself the right of making additions or alterations, and of nominating or displacing the members "at any time or times during my life," from which it may be inferred that he had still hopes of living; and in the other he confirmed the destination of some leases which he had left to the College by his will.

This was the last recorded act of his life, as he died on Saturday the 25th November 1626, at the age of sixty years and nearly three months.*

* For further particulars see *Life of Edward Alleyn*.

CHAPTER III.

THE STATUTES AND THE FOUNDER'S WILL.

It will have been observed that the statutes were only signed by the Founder within two months of his death ; as these form the basis of much of the subsequent narrative, they are here given in full, carefully collated with the original at the College. For the same reason his will is also given *in extenso*.

PREAMBLE.

In the name of God Amen. To all Xtian people to whome this pſent writing quadrupartite ſhall come. I Edward Alleyn, of Dulwich, in y^e county of Surrey, Eſquire, ſend greeting in our Lord God everlaſtinge. Whereas, our late Sovereigne lorde Kinge James of famous memorie, late king of England, Scotland, Fraunce and Ireland, deceased, by his highnes lſes patentees under the Great Seal of England, bearing date at Weſtminſter the one and twentieth daie of June, in the yeare of his raigne of England the ſeaventeenth, and of Scotland the two and fiftieth, did of his ſpeciall grace, certaine knowledge, and mere motion, for him, his heires, and ſucceſſors, amongst other thinges, graunt and give license to mee, the ſaid Edward Allen, that I, or after my deceaſe, my heires, executors, or aſſignes, or every or any of them, for and towardes the relief, ſuſtenaunce, and maintenance of poore men, women, and children, and for the inſtruction of the ſaid poore children, to be enabled and to have full power and libertie, at myne owne and myne heires, executors, and aſſignes will and pleaſure, to make, found, erect, create and ſtabliſh one College in Dulwicke aforeſaid, in the ſaid County of Surrey, which ſhould endure and remaine for ever, and ſhould conſiſt of one maſter, one warden, fower fellowes, ſixe poore brethren, ſixe poore ſiſters, and twelve poore ſchollers, to be maintayned, ſuſteyned, educated, guided, governed, and ruled, according to ſuch ordinances, ſtatutes, and foundations, as ſhalbe made, ſet downe, ſtabliſhed, and ordeyned, by me, the ſaid Edward Alleyn in my life time, or by any other pſon or pſons after my deceaſe, ſuch as ſhalbe eſpecially nominated, deputed, and appointed thereunto by me, the ſaide Edward Alleyn in my life time, under my hand and ſeale in writing, for the maintenance, ſuſtenance, education, inſtruction, guiding, government, and rule of the ſaid maſter, warden, fower fellowes, ſix poore brethren, ſix poore ſiſters, and twelve poore ſchollers.

And whereas our ſaid late Sovereigne lord King James, by the ſaid lſes patentees, of his more ample and abundant grace, certaine knowledge, and mere motion, did graunt and give license for him, his heires and ſucceſſors, to me the ſaid Edward Alleyn, as longe as I ſhall live, and after my death to ſuch perſon or perſons as I, the ſaid

Edwarde Alleyn, shall in my life time nominate, depute, and appoint, under my hand and seale, in writyng, and to eũy or any of them, from time to time, and as often as need shall require, to make, ordaine, constitute, and establish statutes, ordinances, constitutions, and rules, for the good and better maintenance, sustenance, relief, education, government, and ordering, as well of the said Colledge so to bee created, erected, founded and established as aforesaid, as of the said master, warden, fflower ffellowes, sixe poore brethren, sixe poore sisters, and twelve poor schollers, and their successors, forever, and also of all and every the manors, messuages, landes, teñtes, hereditamentes, in the said lřes patentes mençoned, and the rentes, yssues, revenewes, and profittes of the same. And that the said statutes, ordinances, constitutions, and rules so by mee, the said Edward Alleyn, in my life time, or by the saide other persons, or any of them, after my decease, to be made, ordayned, or constituted, shall for ever and in all succeeding times stand, bee, and remaine inviolable, and in full force and strength in lawe to all constructions, intentes, and purposes, the same being not repugnant to the prerogative roiall of our Sovereigne Lorde the Kinges Ma^{tie}, nor contrary to the lawes and statutes of this his highnes realme of England, nor any the ecclesiasticall lawes cannons or constitutions of the church of England, w^{ch} then should bee in force, as by the said lřes patentes, whereunto reference being had, amongst other thinges, more at large y^t dothe and may appeare. And whereas I, the said Edward Alleyn, by my deede quadrupartite bearing date the thirteenth day of September in the said seaventeenth yeare of the raigne of our said late Sovereigne Lorde Kinge James, for the better maintenance, education, relief, and sustenance of poore and needy people, men, woemen and children of the severall pishes of S^t Buttolphes without Bishoppsgate London, of S^t Sauours in Southwarke, and of that pte of the pische of S^t Giles without Creplegate, London, which is in the countie of Middx; and of the pische of Camerwell, in the countie of Surrey, by vertue and force of the said lřes patentes, and by the power and authority thereby to me graunted and given by our said late sovereigne lorde King James, did by the same wrytinge quadrupartite, make, founde, erect, create, and establish one Colledge in Dulwich aforesaid in the said countie of Surrey, which should continue and remaine for ever, and shall consist of one master, one warden, fower ffellowes, sixe poore brethren, sixe poore sisters, and twelve poore schollers, and that the same College shall forever be called and named the College of God's Guift in Dulwich, in the countie of Surrey, as in and by the said wryting quadrupartite, whereunto reference being had, amongst other thinges, more at large doth and may appeare. Nowe knowe yee that I, the saide Edward Allen, to the honor and glorie of Almighty God, and in thankfull remembrance of his guifts and blessinges bestowed upon mee, and for y^t better maintenance, relief, sustenance, educaçon, government and orderinge, as well of the said Colledge, as of the said Master, warden, fower ffellowes, sixe poore brethren, sixe poore sisters, and twelve poore schollers, by vertue and force of the said lřes patentes, and by the power and authority thereby to me graunted and given, doe ordaine, make, constitute, and found ordinances, constitutions, provisions, rules and statutes for the good and orderly rule and government, as well of the said College, as of the said master, warden, fower ffellowes, sixe poore brethren, sixe poore sisters, and twelve poore schollers, and also of the said mannors, messuages, landes, teñtes and hereditamentes, in the said lřes patentes, mençoned in manner and forme as yt followeth written in these English wordes, viz^t.

THE STATUTES AND ORDINANCES MADE BY EDWARD ALLEYN,

IN PURSUANCE OF THE LETTERS PATENT, BY DEED BEARING DATE
THE 29TH DAY OF SEPTEMBER, 1626.

1. *Imprimis.* I ordaine and establishe forever, that there shalbe a Master, Warden, ffower ffellowes, sixe poore brethren, sixe poore Sisters, and twelve poore Scholers, in and belonging to the college.

2. *Item,* For the better furtherance of the honor and service of Almighty God, and for the good and welfare of the saide college, I ordaine and for ever establishe, for all succeeding times to come, that there shalbe continually six chaunters for musique and singing in the chappel of the said college, and shalbe called and esteemed as junior ffellowes, every one of them to have his voice according to the statutes, as the fower senior ffellowes have, six assistants touching the ordering of the said college, and the rentes revenues and profittes thereof, and thirtie members; the said chaunters, assistants, and members, to be employed and taken to such uses intentes and purposes, as hereafter in these my orders and statutes I shall further direct and appoint.

3. *Item,* That the master and warden, shalbe both single psons, and unmarried, of my blood and sirname, and for want of such my sirname onlie, and for want of such of my blood, or name, and if they shall happen to marry after their admission, or either of them, then hee so doing to be removed from the college (*ipso facto*), and made for ever incapable of any place or office therein, or to receive or have any benefitt or profit from thence.

4. *Item,* That the master and warden, and either of them, at the time of their admission shalbe of the full age of one and twentie yeares at the least, and shall be reputed to be Men of honest lives and conversations, of learning, judgment and understanding, sufficient to discharge their places in the college, and such as shalbe esteemed and thought to bee persons provident and careful of the good of the college.

5. *Item,* That the two first senior ffellowes bee in degrees, at the least Masters of Artes, of either of the Universities, Oxforde or Cambridge, preachers; the two second senior ffellowes, graduates and divines, the first of them to be an approved scholmaster, and the second to be a sufficient scholler to be usher of the schole, the two first of the sixe chaunters to be Musicians, of sufficient skill in the art of musique to be Oraganistes of the college, and to teach the poore Schollers musique and to singe, and the other fower chaunters to be singing men of the chappel, all of them single and unmarried psons; and if any of them shall marry after their admission, then he or they so doinge to be removed from the college (*ipso facto*), and for ever made incapable of any place or pferment therein.

6. *Item,* I ordayne that every one of the sixe poore Brethren and sixe poore Sisters, at the time of their admission, be single and unmarried persons, and every one of them be of the age of three score yeares at the least, not infected with any noisome disease, not decrepit in their limbes and members, of religious and sober lives and conversation; and if after their admission, they shall marry, comit adultery, or fornication, then he or shee so doinge to be expelled the said college, and made for ever incapable of any place or relief in or from the said college.

7. *Item,* That every one of the poore Schollers shalbe, at the time of their severall election and admission, between the age of sixe or eight yeares or thereabout, and to

remaine as Schollers in the said college noe longer but untill they bee eighteene yeares of age at the most, and then at the chardge of the collodge, to be put forth either for Schollers or Trades as their capacity will fitt, all of them at the tyme of their said admission to be orphans, without father and mother, or at least such as their parents receive the weeklye Almes of the parish where they live, and for want of such any other poore children of the said pishes, such as the Assistantes of the said pish shall think in most need.

8. Item, That two churchwardens of the pish of Saint Buttolphes w^{thout} Bishopsgate, London; and two Churchwardens of Saint Saviour's, in Southwarke, in the Countie of Surrey; and two Churchwardens of that part of the pish of S^t Giles without Crepplegate, London w^{ch} is in the Countie of Midd^e, for the time being, for ever, shalbe assistantes to the M^r, Warden, and f^{ellowes} of the said College in the governing thereof.

9. Item, That the sixe poore brethren, and sixe poore sisters, and twelve poore schollers shalbe for ever chosen of the pishes herein specified, in manner and form following; that is to saie, two of the poore brethren, one of the poore sisters, and three of the poore schollers out of the pish of S^t Buttolphes w^{thout} Bishopsgate, London; two other of the poore brethren, and one of the poore sisters, and three of the poore scholars, out of the pish of S^t Saviour's in Southwark; one other of the poore brethren, and two of the poore sisters, and three of the poore schollers, out of that part of the said pish of S^t Giles without Crepplegate w^{ch} is in the countye of Midd; one other of the poore brethren, two of the poore sisters, and three of the poore schollers out of the pish of Camerwell, in the county of Surrey.

10. Item, That the churchwardens and vestrie of the pishes of S^t Buttolphes without Bishopsgate, London; of S^t Saviour's, Southwarke, and of that p^{te} of the pish of S^t Giles without Crepplegate, which is in the Countie of Midd, shall severally, in their pishes, make choice of ten poore persons, that is to saie, five poore Men and five poore Woemen, in each of their pishes, to bee members of the said college, and to bee admitted by them into my almshouses at London, that from thence they may be admitted into the college as places shall fall void; provided that such as they admit and choose be (as neere as may bee) single persons above the age of fitye, and such as have longest receaved the almes of those pishes, and if any of them after their admittance marry, or become single and marry againe, that then every of the said members so doing shall, by the assistants of that pish where the same shall happen, be thence expelled, and a new member chosen in his or her place that is expelled.

11. Item, That nine of the poore brethren and sisters shalbe elected out of those thirte members, as places shalbee void, that is, those that are to be elected out of S^t Buttolphes, S^t Saviours, and S^t Giles, in manner following, that is, the assistants of that pish, or of that part of the pish from whence the p^{tie} deceased or departed had bene taken before, shall, uppon notice given them by the master or warden of the said college of the place then void, send such two of those members as the master or warden shall n^oiate, w^{ch} said two persons shall draw lotts for the place, ever receaving a man in a man's place, and a woman in a woman's place.

12. Item, that the manner of drawinge of the said lots shall be thus; that is to say, two equall small rowles of pap^r to be indifferently made and rolled up in one of which rolls the wordes "Godd's Guift," are to be written, and the other rowle is to be left blank, and so put into a boxe, w^{ch} boxe shalbe thrice shaken up and downe, and the elder person of these two that are elected to drawe the first lot, and the younger person the second; and which of them draweth the Lott wherein the wordes

"God's-Guift" are written, shalbe forthwith admitted into the void place or office of the said college, as the case shall require, and the other pson either man or woman, wch shall drawe the blanck lott, shall receive from the master or warden of the said college so much of the pencon as would then have been due to the ptie deceased, departed or expelled out of the said College the same to be accompted and satisfied from the time of the said death, departure or expulsion.

13. Item, That when the place of the m̄r shall be void, then the warden shall take upon him to be m̄r without delay, wthin the space of fower and twenty howers after the place be void, and shalbe admitted thereunto by the fellows, or the most parte of them, then recidinge in the College, and shall take the oathe hereafter expressed to be ministered unto him by the senior fellow then present, in the chappel of the saide college, in the presence of the corporation then present, after morning or evening praier, as occasion shall require.

14. Item, That the master, the next daye after his admission shall in the Chappell, after morning praier, there appoint the Monday fortnight following for the election of the warden, and shall also send three severall notes to all the assistants for to give notice thereof in their severall pish churches the next Saboth-day, expressing y^e qualite and condiçon of the pson elective.

15. Item, That upon the daie of the election of the warden, the master, the assistants, and fellows, after all or the most parte of them be assembled, shall decently and orderly goe into the Chappell, and there, after service and sermon, made by one of the fellows, proceed to the election of a new warden; after that y^e senior fellowe then present shall publicly and audibly read such and so many of y^e before-recited ordinaunces as doe expresse of what condiçon and qualitie the pson elected ought to be, and after that the elector shall make the election indifferently, without partiality, favour, or respect of persons.*

16. Item, That if above number of two shall stand to be elected warden, equall in blood and condiçon, that then they shall passe by voices of the electors then present, and that they two that shall have most voices to draw lotts for the place in such manner and forme as is formerly expressed.

17. Item, That the warden shall presently after his election, and before his admission, become bound in a statute of one thousand poundes, to one or two psons nominated by most part of the electors then present, the defeazance whereof shalbe that, at all reasonable time or times then after, he yield and make a pfect accompte of such moneys, yssues, rentes, and proffitts which he shall then after his being warden receive and take from and out of the landes, goodes, chattels or proffitts belonging to the college or which in anywise shall concern the same.

18. Item, That the warden, after his admission, shall take the oath hereafter prescribed, which shalbe administered unto him by one of the senior fellows then present in the bodie of the chappell, and afterwards he, the Master and some of the fellows shall receive the Holie Sacrament of the Lorde's Supper, to expresse the mutual love and concord which is between them, and shall be conducted to his seate in the chappell, and his lodgings in y^e college by the master and the fellows of y^e college then present.

19. Item, That the warden at every such election shall provide a dynner that day for the wholl college at his owne chardge.

20. Item, That iff both the places of master and warden shall happen to be void

* The word in the original is "elector." A question arose as to this word in the trial "*The Queen v. Dulwich College*," 1851.

at one tyme (which God forbidd), that then y^e senior ffellow then present shall within fower and twentie houres give notice thereof to the assistants, to make speedy repaire to the colledge within three dayes after, to joyne with the ffellowes in the election of a new master, which shalbe in all points as is formerly described in the eleccion of a warden; the master being admitted, then presently, the next daie, to appoint a time for the eleccion of a warden, as is above specified, and at every such eleccion the dynner for the whole college shall be at the said master and warden's equal chardge.

21. Item, That when any of the ffellowes or chaunter's places shall be void by death or otherwise, then the m^r, warden, and the rest of the surviving ffellowes, shall, wthin sixe weekes next after, provide two able and sufficient p^{rs}ons, according to the statutes, to drawe the aforesaid lotts for the place, and he that draweth the righte lott to be presently admitted, and the other to receave so much of the pension as proportionably should have accrued to the person departed as aforesayde.

22. Item, That every p^{rs}on so approved and allowed shall the next Sunday after receave the Holie Communion of the Lord's Supper in the chappell, and shall take the oath hereafter prescribed, ministered to him by the warden, and then shall, by the master and warden, be admitted fellow or chaunter, and by them be then conducted to his seate in the chappell, and likewise after evening praier that day before supper-time to his chamber, and invested by them into the possession thereof.

23. Item, That when any of the poore Scholars' places, that is to saie, any of the nyne that are to be chosen out of the parish of S^t Buttolphes wthout Bishopsgate, London; S^t Saviour's in Southwark, and that part of the pish of Saint Giles wthout, Crepplegate, London, which is in the countye of Middx, shall happen to be void, then the master and warden shall give notice thereof to the twoe churchwardens, the assistants of that pish, or of that part of the pish from whence the poore scholler, departed or deceased, was firste receaved into the college, and they to cause three or fower of the poore children of their pish to be sent to the college the Sunday seⁿnnight next following, by nyne of the clock in the forenoon, that the master or warden of the said college may choose two to draw the said lotts for the vacant place, and he that draweth the lott wherein the words "God's Guift" are written, shall presently be admitted a poore scholler of the said college, and that poore childe that draweth the blanck lott to have iiij^d pence a day paid him for everye day after the death or deptime of y^e poore scholler for whose place the lotts were drawne, to the tyme of the drawing thereof.

24. Item, That the master, warden, and ffellowes shall for ever have the sole denominacon and election of the poore brethren, poore sisters, and poore scholars, that are to be elected out of the pish of Camerwell, to elect whom they shall thinck fitt, wthout limitation of age, provided alwaies the persons elective (men and woemen) be single and needy, and especially if they inhabit in the lordshippe of Dulwich, where the College standeth, if y^e may be.

THE MASTER AND WARDEN'S OATH.

25. I, A. B., admitted to the office of master or warden of the college of God's Guift, in the county of Surrey, am a single p^{rs}on, unmarried, uncontracted, and so long as I shall execute the said office, will by God's assistance so continue. I shall never fraudently maliciously or wittingly, for my part, goe about to alter or chaunge the foundation of the said college or any pte thereof, or any ordinance or statute, ordayned or made for the government thereof, but to the best and uttermost of my power shall

faithfully keepe and observe the same, nor shall doe any arte or artes, thing or things, to the derogaçon, disturbance, hinderance, or damage of the said Colledge, but shall defend and keepe all the rights, priviledges and prerogatives thereof, together with the goodes and landes thereunto belonging, and diligently prosecute, maintaine and defend all suits and pleadings which shall in any sort concern the said college, or the defence of the landes and goodes, or the rights or privileges thereunto belonging; and whatsoever goodes or cattell of or belonging to the said college shall come to my handes I shall truly and carefully restore and cause to be restored without any contradiçcon; and I doe lastly sweare that I will truly pforme all and every part of this oath, wthout any equivocaçon, mentall reservation, or procuring any dispensaçon or absoluçon from the same, and not to accept of any such dispensaçon or absoluçon yf yt shalbe procured. So help me God, and the holie contents of this book.

The warden to take the same oath at his admittance, mutatis mutandis.

THE OATH OF ALL THE FFELLOWES.

26. I, A. B., admitted to be one of the ffellowes of this colledge of God's Guift in Dulwich in the countie of Surrey, ame a single person and unmarried, and, so long as I hold and have the said office or place shall contynue a single life, during which time I will not accept of or take any other service, yearly wages or stipend, of any other pson or psons whatsoever, which may in any sort bee preiudiciall or hurtfull to this place, and I will to my uttermost and beste endeavour execute the said office, and will, according to the statutes and ordinances of the said college, be obedient to the master and warden thereof in all things lawfull, but especially in matters concerning the good and welfare of the said college, and I will faithfully execute and doe to my best endeavours all matters wherein I shalbe employed concerning the same and the welfare thereof; and if yt happen I shalbe herehence preferred or removed, I shall at all times, as occasion is offered, doe my best endeavour to further and advaunce the good and welfare of this college, the statutes of this said college, according to the plaine and grammaticall sence thereof, I shall trulie and faithfully keepe to the best and uttermost of my skill and power, and I shall never consent, agree, or give way to any alienaçon, sale, disposiçon or putting awaie any of the lands, teñtes, rents, goods, profitts, or any other thing whatsoever, that doth belong or appteyne to the said college, nor challenge or clayme any pptie therein, or in any pte thereof, directly or indirectly, to my own use, nor by any wayes or meanes whatsoever practise or goe about to alter or change the foundaçon of the said college, nor any part thereof, or any ordinance or statute ordayned or made for the government thereof; or doe any act or actes, thing or thinges, to the derrogaçon, disturbance, or hinderance of the said colledge, but shall defend and keepe to the uttermost of my power all the rightes, priviledges, and prerogatives thereof, together with the goodes and landes thereunto belonging; and whatsoever goodes or cattell of or belonging to the said college shall come to my handes, I shall truly and carefully restore and deliver, or cause to be restored and delivered to the master or warden of the said college, without any contradicçon; all which I doe sweare faithfully and trulie to observe and pforme, without any equivocaçon, mentall reservaçon or procuring any dispensaçon or absoluçon from the same, or accepting any such if yt shalbe procured. So helpe me God, and the holie contents of this book.

THE OATH OF THE SIXE POOR BRETHREN AND SISTERS.

27. You, A. B., unto whome God out of his goodnesse and mercy hath bestowed this guift to be one of the poore brethren or sisters of this College of God's Guift, in Dulwich, in the countie of Surrey, shall here professe, that you are a single person and unmarried, and shall so continue all the time that you abide in this college; you shall not deceitfully, maliciously, or wittinglye for your part, breake any of the ordinances or statutes of this college, but trulie observe, keepe, and pforme the same, and you shall never consent, graunt, or agree to any alienaçon, sale or puttinge away any of the landes, teñtes, rentes, goods, or profitts, or other things that doe or hereafter shall belong or appteyne to the said college, nor by any manner of waies or means practise or goe about to alter or chaunge the foundaçon of this college, or any statute or ordinance made for the welfare and government thereof; nor doe or commit any acte or actes, thing or thinges, to the derogaçon, disturbance, losse or damage of the said college. So helpe you God, and the holie contents of this booke.

THE OATH OF THE ASSISTANTS.

28. You, A. B. Churchwardens of the pishe, &c. who are nowe admitted to be one of the assistantes of this College of God's Guift in Dulwich, in the countie of Surrey, doe sweare that you for your parte shall not willingly or wittingly give consent at any time hereafter to the breaking or alteraçon of the foundaçon of this college, or of any ordinance or statute made concerning the same or the government thereof, but so well as you may see them trulie kept and performed; and that you shall not consent, graunt, or agree to the alienaçon, sale or putting awaie any the landes, teñtes, rents, profitts, goods, or other thinges that doe belong or apptayne, or shall hereafter belong or appertayne, to the said college, nor take any of the profitts thereof, then what by the ffounder of this colledge is given or allowed to you, and that you shall not doe or consent to the doing of any act or actes, thing or thinges, to your knowledge, which shall or may in any sort disturbe, hinder, preiudice, or damage the colledge, all which you shall sweare trulie to performe and keepe. So helpe you God and the holie contents of this booke.

29. Item, That whensoever and as often as any master, warden, fellowe, poore brother, or poore sister, shalbe admitted to be of the said college, and have taken his, her, or their oath accordingly, then the senior fellowe then present in the said college, shall forthwith say as followeth:—"Now in the name of God, and of the wholl corporation of this college, and of the assistants, and members thereof; I doe pronounce you to be master, warden, fellow, poore brother, or poore sister of this College of God's Guift in Dulwich, in the countie of Surrey, according to the lawes, statutes, and ordinances thereof."

THE MASTER'S OFFICE.

30. Item, That the Master shall be the chiefest person in the said college, and shalbe observed with reverence by all the rest of the persons of the said college; he shall governe all the persons thereof, and admonish, correct, and punish them according to the statutes; and if greater occasions and businesses drawe him not away, he shall be present at the quarterly, monethly and weekly accompts of the warden; he shall prosecute and defend all suits that in any sort shall concerne the college, or the rights,

liberties, and the advancement thereof, at the charge of the college; he shall not in any sort compromit or end any suit, but by a judicall and legall triall, sentence or judgment; He shall have a double or casting voice in all matters of difference, concerning the college, and the government thereof, and that only when the voices are equall; he shall take speciall care that the poore brethren and sisters be not wronged by any of the college, and that the poore Schollers be not abused; he shall goo weekly to view their chamber and to see that they be kept cleane by the matron appointed for that purpose; and Lastly, hee shall take care that the statutes of the College be duly observed and kept in all points.

THE WARDEN'S OFFICE.

31. Item, The Warden shall receave and take the rentes, yssues, and proffitts belonging to the said colledge, and pay, disburse, and defray all the rentes, pençons, and all other payments which are to be made by the said college for y^e use and maintenance thereof to all psons in any sort thereto belonging.

32. Item, he shall, so often as the master is absent from the college, or sick or infirme, doe, execute, and pforme all thinges and acts that the master is bound to doe by his place, and the master shall doe the like for the warden when he shalbe absent, sick, or infirme, so that he cannot execute his place.

THE OFFICE OF THE FELLOWES.

33. Item, The two senior fellowes shall preach two sermons every Sunday, one in the forenoone, and the other in the afternoone, and one sermon on the first of September, another on the nativity of our Lord God, and on the severall daies sett downe; they shall also daily (as likewise all the ffellowes) attend (but on Sondayes and holy-dayes, Sattordayes in the afternoone, and all hollidaye Eeves, in their surplices) the master and warden to the chappell and there continue during the whole service time; and they shall sing their partes in the quire: And if the third and fourth fellowes be absent both together, then they shall performe all ministeriall duties in the chappell. The senior of them two shall keepe the register booke for christenings, weddings, and burials, and both of them shall doe all offices belonging to their ministry, as celebrating the Sacraments, wedd, bury, christen, and visit the sick within the said College; and if they be absent, then the third and fourth fellowes shall pforme the same.

34. Item, The third fellowe shall be Master of the Schole, and the fourth shall be usher who shall be obedient to the Master; both of them shall sing their parts in the quire, and shall have a special care for the good and vertuous instruction and educaçon of the schollers comitted to their chardge; and they shall, alternis vicibus, reade prayers weekly in the Chappell.

35. Item, That the two first of the sixe chaunters, alias junior fellowes, be men of approved skill in musique to sounde the organs in the chappell, and singe their partes in the quire, and shall prick all such services and anthems as the master shall comãd for the use of the chappell into faire Books, and also all other songes and musiques for the private or publique use of the college, both for violls and voices, and those they shall keepe faire, and at their departure leave them to the college; and they shall teach the poore schollers to sing prick-songe, and to play upon the violls, virginalls, organs, and other instruments, as they shalbe found capable, and to teach and direct any other pson or psons of the college that are to sing their partes in the chappell, or

any whom the M^r, warden, and two senior fellowes shall think fit. And the other fower of the said chanters, als junior fellowes, to be singers in the chappell, and psons well skilled and exercised in prick song, and to be men of handicraft trades, viz^t., taylors, glovers, imbroderers, shoemakers, or such like; and these fower Chaunters, als junior fellowes, for avoyding idlenesse, shalbe imployed in their trades by the appointment of the master, warden, and fower senior fellowes, or the most part of them, for the generall good of the college, both in making the poore schollers apparell and shoes, and otherwise, as they shall direct, provided all stuff shall be found them at the college charge. They shall also every day, in the afternoone, teach and instruct in their several manufactures, such and so many of the poore Schollers, as shalbe found unfit for the universyte; and that they may not loose their musique, half the number shalbe taught the trades one afternoone, and the other of them the other afternoone.

THE OFFICE OF THE POORE BRETHREN AND SISTERS.

36. Item, That the sixe poore Brethren shall, by turnes weekly sweepe and keepe cleane the inner and outward courts and cloysters of the College; and if any through infirmity shalbe unable to pforme the same, then he to give allowance, at the discretion of the master or warden, to any of the other poore brethren that shall doe yt for him.

37. Item, That the Master shall make choice of one of the ablest and healthiest of the poore sisters, to be matron of the twelve poore schollers, to make their bedds, sweepe their chamber, mend their cloathes, and entend them, and noe other person whatsoever. In respect of w^{ch} service of hers the other five poore sisters shall give her sixpence a piece quarterly, to be deducted out of their pencions, and paid her by the warden; And if any of the poore brethren or sisters dye during her time of being matron, then she to have two parts of their goodes that are deceased (being divided into twelve partes); And if she shall happen to be sick, then the ablest of the other five shall entend the poore Schollers during her sickness, and for that time have her allowance.

38. Item, I ordaine that the master and warden shall appoint one other of y^e oldest and ablest of the poore sisters to make bedds and sweepe the chambers of any of the fellows or chaunters, yf they shall require such attendance. And in case that if none of the poore sisters shalbe able and fitt to pforme yt, then maye bee admitted any poore woman in the towne for that office, with the consent of the master or warden, under their handes, and not otherwise.

39. Item, the other five poore Sisters shall weede and keepe cleane the gardens in the forecourt of the college, and all the poore brethren and sisters shall alwaies be ready and willing to the best of their abilityes, by the master's or warden's appointment, to helpe and comfort, as well the one as the other, as also the poore schollers, as well in sickness as in health.

THE OFFICE OF THE PORTER.

40. Item, I ordaine that the porter of the college shalbe continually present in the said college, and for the most parte, in the lodge or the fore-court yard; hee shall keepe the keys in the daytime of all the outward gates, and shall open them in summer at five in the morninge, and lock them at ten at night; and in the winter, at sixe in the morning, and at nine at night. And every day, a quarter of an hower after the bell hath called to dynner and supper, shall lock up the said gates and come into the hall,

to wayte upon the master or warden at their table, and after dynner and supper shall open the said gates againe. Hee shall also keepe the keys of the chappell, and every morning after he hath opened the gates shall sweepe and keepe cleane the said chappell, as heretofore yt hath bene accustomed, and shall keepe the clock, toll the bell or bells for service, and every night, after the gates are shutt and lockt, shall bring all the keys to the warden.

THE OFFICE OF THE ASSISTANTS.

41. Item, That the Assistants shall twice every yeare repaire to the College to heare and see the audit and view the accompts of the warden and others, that is, on the fourth day of March and the fourth day of September, but if any of those dayes be Sunday, then the next day after, and also be present at the college when the m^r or warden shall be elected and sworne.

THE OFFICE OF THE THIRTY MEMBERS.

42. Item, That the thirte members shall repaire to the college fower times in every yeare (if sicknesse and infirmity hinder not them) that is, on the fourth of September, on the fourih of March, on Midsomer day, and on the feast of Saint Thomas; yf any of those days happen to be Sunday, then on the next day following, at wch time they are to receive their quarterly pensions, and other monies allowed them by the College.

RESIDENCE.

43. Item, That the master, warden, and the two senior fellowes, shalbe continually resident in the colledge; the m^r shall not be absent from the same without the consent of the warden, the senior or junior fellowes, or the most part of them, under their handes in wryting, above three dayes in any one weeke, upon paine of forfeyting for the first offence five marks, for the second twenty nobles, for the thirde ten poundes. The warden and two senior fellowes shall not be absent from the said college, unless yt be with the consent of the Master, and the rest of the senior and junior fellowes, or the most part of them, under their handes in wryting, above two daies in the weeke, upon paine of forfeyting, by the said warden for the first offence twenty shillings, for the second ffourty shillings, and for the third fower pounds; and upon paine of forfeyting by the said two senior fellowes, every one for his first offence ten shillings, for the second twentie shillings, and for the third ffourtie shillings; and if the master, warden, or any two of the senior ffellowes shall offend in the offence of non-residence the fourth time, that then he or they so offending shalbee expelled the College, and made for ever incapable of any place or pfitt in or from the same.

44. Item, that if any of the rest of the senior or junior fellowes be absent above one daie in a weeke, wthout leave from the master, warden, and most pte of the senior or junior ffellowes, under their handes in writing, upon payne of forfeyting, hee or they so offendinge, for the first offence, five shillings; for the second, ten shillings; for the third, twenty shillings; for the fourth offence therein expulsion from the college, and for ever made incapable of any place or benefitt in or from the college; provided that there bee noe leave graunted to any pson above fourtie daies wthin one yeare at the moste, one tyme with another. Provided also, that there be not above two of the senior or junior ffellowes absent at any one time from the said college, but in case of urgent necessitye.

45. Item, that if any of the senior or junior fellowes shall happen to bee troubled with any noisome sicknes, such as in the judgment of the M^r., warden, and most pte of the rest of the senior or junior fellowes is infectious, and would prove dangerous and piudiciall to the rest of the members of the college, then the said ffellow to procure a sufficient man to dischardge his place at his owne charge, and himself to be remooved for the tyme.

46. Item, that if the warden shall, withe lawful consent as aforesaid, be absent above the time before specified, it shall be lawful for the master to appointe one of the senior ffellowes to supply the place of the warden under the name of sub-warden, only to looke to the provision and defray the disburse^m of the college until the return of the warden, and the master shall deliver competent money for that purpose unto the said ffellowe, who during that time shall be resident in the college, in such authority and sorte as the warden ought to bee when he is present.

47. Item, that the master and warden shall not be both absent from the college at one tyme, but in case of inevitable necessity, and then for so short a tyme as may bee.

48. Item, that none of the poore brethren or sisters, or of the poore schollers shall be absent from the college any day or time without leave of the master or warden; and if any of the poore brethren or sisters shall offend herein, then he or she so offending shall, for the first offence forfeit five shillings, for the second, ten shillings, for the third, one monthes pension, for the fourth, expulsion from the college, and for ever be made incapable of any place or benefitt in or from the said college.

ORDERS FOR THE POORE AND THEIR GOODS.

49. Item, that none of the thirty poore members that have notice given them for their election to be of the College, shall give, sell, or alien any of their goodes or chattells whereof hee or shee were then possessed, but they shall bring the same with them into the college, for their own use during their naturall lives, and at their death shall leave the same to be disposed of in manner and forme followinge. The warden or his deputy shall take an Inventory of the goodes of the sicke pson in the time of his or her sicknes, or (if that cannot be done) within one day after his or her death, if infec^on deny not and shall cause the said goods and chattells to be sould and the price thereof, or the goods themselves, to bee divided into twelve parts; whereof the matron of the schollers shall have a double share, and the other ten single shares a piece and this order to be observed, touching the Goods of any poore brother or sister of the said college that shall dye.

50. Item, that the poor brethren and sisters shall, once a moneth, or as often as the master, warden, and fower senior ffellowes shall think fitt, give accompt how they doe bestowe and spend their monethly pensions; and if any shalbe found to waste his or her pension so as they shall want necessarie apparell or furniture for his or her chamber, that then it shall be lawful for the master to receive the pension of the delinquent, pportioning them a competent diet, wch beinge disbursed, the surplusage shalbe employed to provide for the said poore brother or sister such apparell and household stuff as he shall thinck fitt, especially necessary apparell, and bed clothes, both lynnens and woollen.

51. Item, I ordaine that none of the poore brethren shall come into any of the poore sisters howses, nor any of the poore sisters shall come into any of the poore brethrens houses, without the appointment of the master or warden, and that in time of sicknes when helpe and comfort is requisite.

52. Item, that none of the fellowes, poore brethren or sisters, shall keepe any dogges, poultry, or any other noisome cattell, within the said college, beside a catt.

53. Item, that none of the poore brethren or sisters shall washe any of his, hers, or their linnen, or any other clothes in any of their lodgings, and that they nor anybody els hang or spredd any clothes to be ayred or dried in the inner or outward courts of the college, nor cast into any of the courts either dust, water, or any other filthes; and if any of the said poore brethren or sisters shalbe found at any time walking or going out of their chambers without their gownes, hee or shee shall forfeyt for every time found so doing sixe pence.

54. Item, that the poore brethren and sisters shall not frequent any tavernes or ale howses, and if any of them be drunck and convicted thereof by the master, warden, senior and junior fellowes, or most pte of them, whereof the master or warden to be one, that then hee or shee so offending shall forfeyt for the first, second, and third offence, three daies pension for each of those times; for the fourth offence, shall be set in the stocks, in the utter court of the said college, by the space of one hower, and also loose three daies pension; for the fift be sett in the stocks in the place aforesaid for the space of two howers, and loose one weeks pension; for the sixt, be sett in the stocks in the place aforesaide for the space of three howers, and loose two weekes pension; and for the seaventh offence, be expelled from the college forthwith, and made incapable of any place or benefitt in or from the colledge.

OBEDIENCE.

55. Item, I ordaine, and for ever establish, for all succeeding tymes to come, that if any of the fellowes, poore brethren or sisters, or servaunts of the said College, shall disobey or withstand the master, or, in his absence, the warden or sub-warden of the saide College, for the time being, in any lawfull or fitt matter or thing commanded or enjoyned him her or them to be done in their several places by the master, warden, or sub-warden of the said college for the said College, or the well and orderly government thereof; that then and in every such case, the partie so offending, and found to be guilty, either by evidence of the fact, or proof of two witnesses, or his or her own confession; he or shee shall, for the first offence, forfeyt sixe shillinges eight pence; and if hee or shee shall continue afterwarde three daies obstinate, and not pforme the same iniunction or commaund, being a second time required, then hee or shee so offending shalbe expelled the said college for ever, and be made incapable to have or enjoy any place or office there, or receave any benefitt or profit from thence.

56. Item, that the master and warden of the said college for the tyme beinge, or either of them, shall at any convenient time or times enter or come into any of the chambers of the fellowes, brethren, sisters, schollers, or servaunts of the said college, to see the order and decency thereof, and if they or any of them shall refuse to pmitt or suffer the master or warden so to doe, then he, shee, or they so offending shall forthwith be expelled the said college, unless the cause of such his, her, or their refusall by the master, warden, fellowes, or the most pte of them, shalbe taken to be sufficient.

57. Item, that the master, warden, and fellowes of the said college, or the most part of them, shall command and inhibit any person residing in the said college, from resorting to the house of any ptticular man or woman in Dulwich, or within a mile of the same.

58. Item, that none of the fellowes, poore brethren, or sisters, or schollers of the

said college, other than the surveyor of the diett for the time being, shall goe into the kitchen, larder, buttrye, pantry, or other offices of the saide colledge, but with the consent or leave of the master and warden of the said college or one of them.

ORDERES FOR THE CHAPELL AND THE CELEBRATING OF DIUINE SERVICE.

59. Item, I ordaine and for ever establish, that in all succeeding times to come the service which shall be reade and sunge in the said chappell shalbe daily read and sung in such manner and forme, as neare as may be, as is usually observed in the King's Chappell, or in the Collegiate Church of S^t Peter at Westminster, and that the master, warden, senior and junior ffellowes, and poore schollers of the said college on Sundaies, holydaies and eves, in their surplices, and other working daies in their gownes, shall daily sing their partes in the quire of the said chappell, and if the m^r, warden, or any of the senior fellows be not present in their singing, or cannot sing their parts in the quire, that then he or they that shalbee defective therein shall find everie of them at his and their own charge a severall pson that can sing his pte in the quire to supplie his or theire place that is defective, untill hee or they shalbe able to pforme the same.

And I further ordaine, that, if yt may be, all the other servaunts or officers of the said College to have knowledge in prick-songe, or to learne the same after their coming to the said college, and to sing his or their parte in the quire also at times convenient.

60. Item, That on every Saboth and festivall daye, the service shall begin at nyne of the clock in the forenoon, and at two of the clock in the afternoone; and on the weeke dayes the morning service to begin at half an hower past ten of the clock, and the evening service to begin at five of the clock, from our Lady-daie in Lent, to Michaelmas, and from Michaelmas to our Lady-daie in Lent, at half an hower past fower, except festivall eves, and holidaaies eves, and Sattordayes, w^{ch} shall be observed as on holidayes. The warning for all the services shalbe wth three times tolling the bell or bells.

61. Item, that at the end of the second tolling of the bell or bells to morning and evening praier every daie, the warden, junior and senior ffellowes, and twelve poore schollers of the said college, shalbe ready and attend in the hall of the said college y^e coming of the master, and goe before them into the Chappell, and the poore brethren and sisters to be ready and attend in the poarch before the said hall and chappell; and then the poore brothers and sisters shall first goe into the said chappell, and then the poore schollers, two and two, and then the junior and senior ffellowes, two and two, and then the warden alone, and then the master alone, and after him the servaunts and officers of the howse of the said college in their liveryes, and there to staie and remaine and not to depart out of the said chappell during the whole time of Divine Service, except suddaine sicknes or other extraordinary occasions require yt; and after service ended they are to come out of the said chappell in like order as they went in, and the poore brethren and sisters to staie in the porch until the master and warden be come into the hall of the said college; and the warden, senior and junior ffellowes, poore brethren and sisters, to be at those tymes in their gownes, and the poor schollers in their coats and capps; And if the warden shall faile to be in his gowne, to forfeit fower pence, and if any of the senior or junior ffellowes shall fail to be in his or their gowne, to forfeit two pence a piece for every time he or they so doth, and if any of the said poore brethren and sisters shall faile to be in their gownes, to forfeit one penny

a piece. These forfeitures to be increased at the discretion of the master of the said colledge for the time being.

62. Item, that the master, warden, senior and junior ffellowes, poore brethren and sisters of the said college for the time being, and all other psons belonging to the said College of age and discretion, shall receave the holie communion if conveniently they may in the chappell of the said college ffower times in the yeare, for ever, (that is to say,) on Easter-day, Whitsonday, the first Sunday in September, and on the Feast of the Nativity of our Lord God; and on those daies the college shall feast the twelve poore brothers and sisters of the saide college at dinner and supper at the charge of the college.

63. Item, that the fower senior ffellowes shall from time to time, as often as there shalbe occasion, visitt and comfort, the best they maie, all such psons of the said college as shall be in extremitie of sickness, or any other adversitie.

64. I Ordaine that as often as the master, warden, or any of the senior or junior ffellowes of the said college shall dye, that he or they so dying shall be buried in the vaults for that purpose in the upper end of the quire of the chappell of the said college, and that noe other person or persons besides the said master, warden, or ffellowes after my decease shalbe buried in the said chappell or vaults, or either of them. The middle vault for the master and wardens, and the other two vaults for the senior or junior fellows.

ORDERS FOR THE SCHOOLE AND SCHOLLERS.

65. Item, I Ordayne and for ever establish, for all succeeding times to come, that the master and usher of the saide schoole and the two masters of musique of the said College shall every of them teach the said twelve poor schollers of the said schole in good and sound learning, wryting, reading, grammar, musique and good manners and shall admit no scholler into the said schole, nor put any out, but with the consent and approbation of the master or warden of the said college for the time being, under their or one of their hand wryting; they shall not, in regard of other Schollers being to be taught in the said schole, neglect the said twelve poore schollers, but it shalbe their principal and speciall care to teache and instruct them with all care and diligence; they shall freely, without recompense or reward, teache and instruct the children of the inhabitants within Dulwich aforesaid in wrytinge and grammar; and I do ordaine that the said master or usher of the schole be such as be able to teache the poore Schollers to write a faire hand, and shall provide and find at their own chardge sufficient pennes, inck and paper for all the said twelve poore schollers, both for wryting and ciphering books, and for the grammarians to make their lattins in.

66. Item, that the usher of the said schole for the time being, in absence of the schole master, shall teach, governe and instruct the schollers of the schole master's formes in such manner and order in all things, as the said scholemaster shall direct and appoint.

67. Item, that the scholemaster and usher of the said schole shall so divide the formes, charge, and teaching the Schollers betweene them, so that neither of them be overchardged or pressed with multitude of schollers, nor the schollers of the said schole neglected thereby and left untaught, and the usher of the saide Schole in his manner and forme of teaching to be alwayes directed by the scholemaster, and to yield an accompt to the scholemaster of the schollers under his charge, how they doe profitt in learning, and howe apt and capable they and every of them are for learning,

and they both, and the musique masters to yield an accompt to the master and warden and the most part of the other senior and junior fellowes of the said college for those that are committed to their charge to be instructed; and if the master or usher of the said Schole shall at any time be sick, then, during that time, the one shall supply the other's place, for so long time as the master of the said college shall thinck fitt; and if the master or usher of the said schole shall happen to dye, or be expelled the said college, then he that surviveth or remayneth, to supply both places in the said schole until a new master or usher be chosen or admitted.

68. Item, that if there shalbe any contagious or infectious sicknes in Dulwich, yt shall be lawful for the scholemaster and usher of the said college at the tyme appointed by ye master or warden thereof to omit the publike teaching of the said schole of the inhabitants' children of Dulwich aforesaid, and such other forreign schollers as doe not lodge within the said College; and if the said contagion or infection shall, at any time, happen to be within the said College (which God forbid), then, and in every such case, it shalbe lawful for any pson abiding in the said college with the consent of the master, warden, senior and junior ffellowes, or the most part of them, to depart or remove from the said college for the time only as the said contagion doth endure. Provided alwaies, that two of the senior fellowes of the said college be continually at the said college to comfort and cherish with their best advice the poore and sick people of the said college at ye discretion of the said master and warden of the said college; and if any poore brother or sister shall die of the plague, the house of the said poore brother or sister shalbe shutt up sixe weekes, and after such time the door shalbe opened, and their goods sould to some persons not being of the college, and a fortnight after that the said person's place may be supplied againe.

69. Item, I ordaine, that the inhabitants in Dulwich aforesaid shall have their men children freely taught in the Schole of the said colledge, only giving two shillinges for every childe admittance, and six-pence a quarter to the scholmaster towards broomes and rodds, and every year at Mich^{as} a pound of good candells for the use of the Schole, and for such forreyner's children (other then of Dulwich aforesaid) which shalbe schollers in the said schole, their friends shall paie the scholmaster and usher of the said schole such allowance as the master and warden shall appointe; and I especially ordaine that together with the twelve poore schollers of the colledge, the number shall not exceede four score at any one time.

70. Item, I ordaine, that all benefittes accruing to the schole by reason of any towne, or forreyn schollers shall continually be divided into three partes, whereof the master of the Schole shall have two parts, and the usher one pte, the charge of pennes, inck and paper for the poore schollers, as aforesaid, first deducted.

71. Item, That the musique masters of the said college, for the time being, shall teach and instruct in song and musique freely, all psons wch are in the said college at the master and warden's appointment, and for any other schollers, wh^{ch} desire to learne song or musique, they shall receive such rewardes as the master or warden for the time being shall appoint, the benefit of which or any otherwise accrewing to the said two musique masters shall equally be divided betweene them, y^e charge of stringes, pennes, inck and paper first deducted.

HOWERS OF SCOLINGE.

72. Item, that from the first of Marche, yeareley, untill the first of September following, every scholler shall come in the grammar schole at six a clock in the morninge,

and there to continue untill half an hower past nyne of the clock, and to come and be againe in the schole at one of the clock in the afternoone, and there remain untill fower of the clock; And from the first of September yearly, to the first of March then following, shall come at seaven in the morning and staie till half an hower past nyne, and to come againe at one in the afternoone, and there to staie till half an hower past three. And the usher of the said schole to come and be in the said schole within a quarter of an hower after the schollers, and the master of the said schole to come and bee in the said schole within half an hower after the schollers time of coming into the said schole; And the usher shall, at his coming into the said schole, cause the roll of the said Schollers to be called, and to take a note of those which are absent of the master's formes, and present them to the master at his coming into the said schole; and the said master and usher in their severall places shall admonish and correct those which were absent or did come too late, as the case shall require; And the master and usher, or one of them, to abyde or remaine in the said schole during the tyme that the schollers of the said schole are to remayne and abide therein.

73. Item, that such schollers as learne musique in the said college shall come into the musique schole or roome every forenoone at half an hower past nyne of the clock, and every afternoone at half an hower past three, and at play daies at one of the clock in the afternoone, and there contynue in learning their song and musique.

74. Item, that the scholmaster of y^e said college shall appoint a short forme and order of prayer to be said and observed every morning in the said schole by the schollers thereof, kneeling on their knees, the master and usher of the said schole, or one of them, to be continually thereat.

75. Item, I ordaine that the master and usher of the grammar schole, and also the two masters and teachers of musique, during the howers and times assigned for teaching the said schollers, shall not both be absent out of the said schole at one time, unles yt be during such time as they or either of them shall have leave in wryting under the hand of the master, or, in his absence, the warden of the said college for the time being.

76. Item, I ordaine that the schollers of the said schoole shall be divided and placed into severall formes according to their capacities, and as they shall proceed in learninge without any ptiality or affection to be shewed or used by the scholmaster or usher of the said schole therein.

77. Item, I ordaine that the master and usher of the said schole shall teach and instruct the schollers thereof according to the rules and precepts of the grammar allowed in England, and to teach and instruct in such other books as are commaunded by publike authoritye, and are usually taught in the free grammar scholes of Westminster and Paules.

78. Item, I ordaine that if any of the children of the inhabitants of Dulwich which shalbe schollers in the said schole, shalbe absent at any time from the said schole above the space of one and twenty daies, unless yt be by reason or occasion of sicknes, and his parentes or freindes will have him to be or contynue a scholler there, they shalbee at the chardge to paie for his new admittance.

79. Item, I ordaine that at such times as the election dayes shalbe yearly for the free schooles of Westminster or the Marchant Taylor's Schole in London, the master or usher of the said schole of the said college for the tyme being, shall yearly goe to either of the said scholes at those times, and take with him or them the schollers of the highest forme in the schoole of the said college to see and heare the orations and

exercises used and uttered by the schollers of those scholes on those daies, to the end they may observe and marke the manner and forme thereof.

80. Item, I ordaine that the said twelve poore schollers, and evy of them for the time being, as he shall attaine to the age of eighteene yeares, shall then bee sent out of the said college and preferred to the universitie, or some trade or manual occupaçon, as his capacity shalbe fitt, at the chardge of y^e college, wherein I would have the mr, warden, senior and junior fellowes of the said colledge for the time being, or the most part of them, shall for ever diligently and carefully observe wth of the poore schollers for the time being wilbe fitt and capable for the universitie, and wth are to be sent and put to trades or occupaçons, and the said schollers to be disposed of accordingly, as they shall severally attaine to the age of eighteene yeares; Provided, there bee not above nor under the number of fower of the said poore schollers at one time maintayned in the universitie.

81. Item, I ordaine that the said college shall allow and satisfye to every such of the said fower poore schollers, as shalbe sent to the universitie so much yearely a peece as shall by the master, warden, ffellowes, and assistants, or the most part of them, be thought sufficient for their maintenance to be paid to or for them quarterly for the space of eight yeares then next ensewing; if, in the mean season any of them shall have not other preferment; and if any of them shall have preferment within that time, then his pension shall forthwith determine and cease, as also at the expiraçon of the said eight yeares which shall first happen, and then the college shall send one other poore scholler to the university to bee maintayned in his place, and that the master, warden, assistants, senior and junior fellowes of the said college for the tyme being shall, by all the beste wayes and meanes they can from time to tyme as occasion requireth, place and set forth such of the poore schollers as shall be sett and put to trades or manual occupaçons, to good and sweete trades and occupaçons, as near as may bee, and to psons of good creditt and sufficiency, and to give such stock or money with every of them therein as the master, warden, assistants, senior and junior fellowes, or the most part of them, thinck fitt.

82. Item, I ordaine that if within the said eight yeares any such poore schollers as shall be sent to the universitie shall proceed to be batchellor or master of arte, that then the colledge shall allowe to every of them that shall so proceed five powndes at the severall times of taking either of the said degrees; provided, and I ordaine and establishe that if any of the said twelve poore schollers which shalbe sent or putt to the universitie as aforesaid shalbee afterward capable to have a fellowshippe in the said college, that then whensoever any fellowshippe in the said college is void, yf any one yt hath bene any of the said poore schollers will stand for the said fellowshippe, and desire yt, he shall forthwith be admitted thereunto without any lotts or further election to be made of him, he taking the oath before prescribed and observing the lawes of the college; and if any of the said poore schollers that are put to trades or occupaçons shall desire afterwards, or stand to be admitted to be one of the servaunts or officers of the said college at such time as a servaunt's or officer's place is void, that then he shalbe admitted and accepted into the said office or place before any other.

83. Item, I ordaine that the visitor of the said college for the time being shall appoint att his discretion some learned and sufficient person that is a divine to repaire to the said college yearely on the Monday in Whitsonweeke, to appose, visit and examyne the poore schollers in their learning, and how they doe proffit therein, as also how they are instructed in matters of religion, and of the service and worship of

Almightie God. The said person so appointed by the visitor, to have att every such his repaire to the said college, his dynner for himself and his man, to be found at the charge of the said college, together with meat for their horses ; and the said person so appointed is to acquaint the visitor with his proceeding at every such time, and what he thincketh fitt to be amended touching the education of the said schollers, to the end the visitor may admonish the master, warden, senior and junior ffellowes of the said college thereof, and require them to be more carefull therein for the time to come.

ORDER OF DIETT.

84. Item, I ordaine and for ever establish for all succeeding times to come, from and after my decease, that the diett of the said college shalbe kepte ordinarily for the master, warden, senior and junior ffellowes, and poore schollers of the said college, at two tables in the hall of the said college, at the one whereof the master and warden, senior and junior ffellowes shall sitt together at the upper end of the saide hall, and the twelve poore schollers shall sitt at the side table in the said hall ; but in cold weather and in time of sicknes of the master or warden, the master may, if he will, have his diett for himself, the warden, and so many of the senior fellowes as he shall think fitt to be in the parlour adjoining to the said hall, and that wither m̃r, warden, or any of the senior or junior fellowes shall absent himself from the said dyett, being resient, without giving warning to the butler before the bell ringing, or not resient, the night before his departure, on paine to forfeyt for every meales meate twelve pence.

85. Item, that from the Feast of All Saints until the next day after the Purification of our Lady, there shalbe a fire in the parlour and in the publike hall of the said college ; and in the servantes hall, there at dinner and supper times, and other times, at the discretion of the master and warden of the said college for the time being, or either of them.

86. Item, that one of the chaunters, alias junior fellowes of the said college, shall weekly, by turnes be steward of the diett and provision of the said college to see the same be sweete and wholesome, and daily to survey yt and deliver yt out of the wett larder to the cooke, and being drest, shall see yt be delivered into the master's, warden's, fellowes', and poore schollers' tables, and see that the poore schollers be not defrauded of the proporcion of their diett, as well of bread and beere as of other victualls ; and hee shall every Friday, at the conclusion of his weeke, give a just accompt of the quantity of victualls that hath bene spent in the said college during that weeke, and shall take upon him this office every Friday night, and be present at the weekly accompt of the warden of the said college, upon paine to forfeyt sixe shillings and eight pence for every time wherein he shalbe stewarde or surveyour, and not be present at the said accompts, to examine and certifie the same, or correct yt, or shewe the defects thereof if there be cause.

87. Item, that after grace is said at the master's table, both for dynner and supper, one of the poore schollers by turnes shall reade a chapter in the Bible in the hall, and all the rest of the poore schollers shall give eare thereunto, except those three of them who by turnes are to fetch in the diett.

88. Item, that noe one pticular pson shall have any pticular allowance of diett by himself, and that there shalbee noe dividant or dividing of diett into shares or proportions, at the master's table, and that none of the said college shall assigne over his diett to any other pson in his absence ; and that the master, warden, senior and junior ffellowes, and poore schollers shall take their diett in noe other place then in the

place aforesaid. But if any contagion, or infectious sicknes happen to be at any time in the said college (which God forbid), that then in every such case the master, warden, senior and junior ffellowes of the said college, or the most part of them, may consent and direct that the said diett, during that tyme of contagion or infection only, and noe longer, may be divided and sent into severall places in the said college to such psons who ought to have yt; and if the master, warden, or any of the senior or junior fellowes of the said college shall at any time be sick or ill at ease that he cannot sitt at the ordinarie table and take his or their diett there, that then also by the consent of the master, warden, senior and junior fellowes, or the most part of them, he may have diett proportionable, in his chamber, and that to continue noe longer then during the time of his sicknes only, and whilst he shall continue and reside in the said college.

89. Item, that the said twelve poore schollers shall have their diett proportioned and ordered for them in manner following (that is to saie): every morning in the weeke, about eight of the clock, except Sundaies and holydaies, to have a loafe of bread waighing twelve ounces troy weight, to be divided amongst fower of them, and each of them a cup of beere; and on Mondayes, Tuesdayes, and Thursdayes, at dynner and supper, each of them to have a good messe of pottage, and at each time two poundes of good beefe boyled, and two of the said loaves between fower of them, and beere without stint; and on Wednesdayes, ffrydaies and Sattordaies to have the said proporcion of bread and beere as on other daies, and at dynner to have milke or other pottage befitting the season, and amongst them all twelve, to have half a pound of butter and two pounds of cheese; and instead of either butter or cheese to have a proportion of fish, or peare, or apple pyes, according as the seasons are, and the like at supper, except Fridaies and fasting dayes, and then every of them to have the said proporcion of bread and beere at night as they have allowed them for their dynners at noones; and on Sundayes and holydaies, in open times they shall have two poundes of roasted beefe between every fower of them, with the like proporcion of bread and beere as on other daies for their dynner, and at supper a competent allowance of roasted mutton between every fower of them, as neare as may be, according to the proporcion of beef allowed them for dynner, with such increase of diett in Lent and on gawdy daies as the discretion of the surveyor of the diett for the time being shall thinck fitt.

90. Item, I ordaine and doe especially charge and require the master and warden of the said college, for the time being, to have a speciall regard that the beef and mutton assigned for the poore schollers be sweet and good, their beere well brewed, and their bread well baked, and made of cleane and sweet wheatten meale, the bran taken out, and every loafe after it is baked to weigh twelve ounces of troy weight; and when any augmentaçon of diett shall be made in the said college, either by dividnt or otherwise, that then the diett of the said twelve poore schollers to be augmented also according to the rate and proporcion of increase of the other dietts in the said college.

91. Item, that the warden of the said college for the time being shall, every year against Easter, and oftener if neede shall require, provide at the charge of the college, for every of the twelve poore schollers of the said college, one surplice of white calico, one upper coat of good cloth of sad cullor, the boddyes lyned with canvas, and the skirts with white cotten, and one paire of drawers of white cotten, two canvas shirtes with bockaram bandes to them, two pair of knitt stockinges, shoes as often as need shall require, two round bands, a girdle, and a black cappe all to be repayred every

yeare at the charge of the college, who are also at their charge to find and allow them reading books for their learning in the schole ; and their linnen clothes to be weekly washed and dried at the charge of the said college for ever.

92. Item, I ordaine and for ever establish, for all succeeding times to come, yt every Friday, after eveninge praier ended, the master, warden, and so many of the senior and junior fellowes of the said college, as shall then be there, shall meete in the parlor of the saide college, and take view of the expenses of the said colledge for diett or any other occasion for the weeke past, and give order for the diett or other pvision, and also for other busines of the said college for the weeke following, and to heare and determine, if they can, all other businesses which concerne the said college, or any of the psons therein ; and they shall also once every moneth, upon the Sattorday in the afternoone after evening praier, hear and take the accompts and receipts, and disbursements made by the warden, or any other inferior officers of the said college ; and whosoever shall willingly defraud the said college in or by his accompts, and yt shalbe so adjudged by the most part of those who are present to heare and take the said accompts, he shall for the first offence therein satisfie double damage, the second time treble damage, the third time fower tymes the value thereof ; and if he shall offend therein the ffourth time, then he shall forthwith be expelled out of the said college, and be thereby made uncapable to have or enjoy any office there, or receive or have any benefitt or profit from thence for ever after. And these weekly, monethly, and quarterly meetings of the m̃r, warden, and fellowes of the said college I ordaine shall be called private sittings.

PUBLIQUE AUDIT AND PRIVATE SITTING DAYES.

93. Item, I ordaine and for ever establish there shalbe two generall audit dayes and publique meetings kept and observed in the said College ; (that is to say), on the fourth daie of March and the fourth daie of September yearely ; and if either of them fall on a Sunday, then the next daie following, and shalbe kept in the auditt chamber of the saide college, whereat shalbe present the master, warden, assistants, senior and junior fellowes of the said college, or the most part of them, at w^{ch} time one of the senior fellowes shall first reade so many of the statutes of the said college as shall concerne the busines then to be handled, and shall to the uttermost of their power take diligent care that the saide statutes be truly observed and kepte ; and the warden of the said college shall at those tymes make his general accompte of all receipts and disbursements belonging to the said college, by him had or made for the half yeare then laste past, being prepared and surveyed before by the master, senior and junior fellowes, at their private sittings, which accompts shall then be publiquely reade ; and the master, assistants, senior and junior fellowes then present shall heare and examyne as well the same, as also the accompts of other inferior officers of the said college ; and at that audit day, on or about the fourth of March, for ever, the warden of the said college shall cleere his accompte for the yeare past, and what of the revenew or other profit of the saide college shall then remayne in his handes unexpended he shall bring in at the said auditt ; and the warden shall at that auditt make knownen and declare what occasion there wilbe for the use of mony the yeare then next following. Whereupon the master, warden, and assistants, senior and junior fellows there present, or the most part of them, shall take order what money shalbe employed upon those occasions, and howe and in what manner it shalbe employed, and the same shall presently be delivered to the warden for that purpose, and the money remainyng

shalbe put into the comon treasury of the said college, and the order so made shall be entred in the booke of orders of the said college by the warden or his clerke. And the said master, warden, assistantes, senior and junior fellowes of the saide colledge, or some pte of them, shall yearely, on or about the ffourth of March, view all the buildings of the said college, and what decay or defect they find in any of them to give order for the repayre and amendment thereof, to be donne at the charge of the said college, before the fourth day of September next followinge, if conveniently yt may bee; and on the said fourth day of September next following to see and take view if the same be performed and repayed accordingly; and if the said reparacons shall require a longer time for the doing thereof, then to appoint yt accordingly. And they shall at either of the said auditt dayes lett and grant leases of the landes and teñtes belonging to the said colledge, in such manner, and according to such power as is lymitted and given to them by the statutes and ordinances of the said college, and noe otherwise; and they shall take special care and regard the pencons and porcons payable to the fellowes, the poore brothers, sisters and members of the said college be daily and orderly paid, with their true and right dividend, if there bee any; and that the poore brothers, sisters and members of the said college have their gownes given and delivered to them, at the tymes appointed by the said statuts and ordinances. And they shall heare and determine all matters of complaint or controversy brought unto them touching any psons then residing in the said colledge and they, or the most parte of them, to punish and censure the same if the cause require, according to the statutes and ordinances of the said college, and generally to heare, treat of and determyne, if they, or the most pte of them can, all other matters and thinges wch doe or may in any sort touch or concern the said college, or the good and orderly government thereof, according to the statutes and ordinances thereof. And there shalbee continually two faire ledgier bookes, in the one whereof shalbe entred all the actes, orders and proceedinges made at every of the said publique auditts, and in the other all the acts, orders and proceedings made at every of the said private weekly, monethly, and quarterly sittings, in which booke for the publique auditts, in a separate place by ytself, shalbe entred the names of the master, warden, assistants, senior and junior fellowes, poore brothers, poore sisters, and poore schollers of the said college, and of and at the tyme of the severall entrances into the said colledge, and of their deaths and departures from thence, and this to be ppetually observed as often as occasion requireth.

94. Item, I ordaine that at all and every of the said private sittings, the saide master, warden, senior and junior fellowes then present, or the most part of them, shall heare and determine all misdemeanors, breaches and contempts, done or committed by any pson in the said college against the statutes and ordinances thereof, and they shall heare end and determine all controversyes which are brought before them, which are raised or stirred up by any psons reeciding in the said college; and if it shall happen at any time of those private sittings that any person of the said college shalbe expelled from thence for any offence, and that such psons shall thinck him or herselfe wronged thereby, that then everie such person may appeale to the master, warden, assistants, senior and junior fellowes of the said college, at their next publique meeting, where the cause of his or her expulsion shalbe at large debated by the master, warden, fellowes and assistants of the said colledge, the pty appelland first submitting him or herself to their order and censure therein, who shall have power to order, censure and determine the same; and if upon the hearing and debating thereof they or the most pte of them shall pronounce and give their voice that the party appelland

have justly deserved the said punishment then he or shee that made the said appeale, is forthwith (ipso facto) to be expelled out of the said college for ever, and thereby made uncapable, for ever after to have and enjoy any place or roome in the said college, to receive or have any benefitt or profit from thence.

95. Item, I ordaine, that at every auditt on the fourth daie of September, the master, warden, assistants, senior and junior fellowes of the said college, or the most pte of them, shall survey the evidences, plate, and money remayning in the said treasure and all other the goodes of the said colledge, inventoried or otherwise, and after the same so done to put the evidences, plate and money into the said treasury appointed for that purpose againe, and lock it fast.

AUDIT AND TREASURE CHAMBER.

96. Item, that the audit shall be kept in the great chamber over the hall, being part of the master's lodging, the treasure chamber over the great poarch, the utter doore whereof shall have three lockes and keyes to be kept, and the two senior fellowes and warden of the said college to keepe the keyes thereof; in which treasury chamber there shall alwaies remaine and stand a comon chest with three lockes and keyes thereunto, to be kept by the M^r., one of the assistants of S^t. Buttolphes without Bishoppesgate, and one of the assistants of S^t. Saviour's in Southwarke, every one of them to have a key; in which chest shall be kept all the special evidences of the said colledge, together with such plate not dailie used, and ready money, with all other thinges of especiall value which doe belong to the said college, and a book of the statutes and ordinances of the said college, faire written in vellome; and upon the shelves of the said treasury chamber, and in the desks and presses thereof, shall be layd and kept all other wrytings and evidences of lesser value which doe concerne the said college, viz^t. counterparts of leases, bookes of accomptes, and reckonings, copies and bookes of lawe-suites and pleadings, acquittances and discharges for the receipt of money and such like, together with one booke of the statutes and ordinances of the said college.

LODGINGS IN THE SAID COLLEGE.

97. Item, I ordaine and for ever establish that for all succeeding times to come, from and after my decease, that the master of the said colledge, for ever for the time being, shall enjoy and keepe to his owne use for his lodgings the great chamber over the hall (which shall also serve for the auditt chamber), the chamber over the parlour, the lobby chamber, and the lobby. The warden for ever for the time being shall enjoy and keepe to his owne use for his lodgings the chambers over the servant's hall, with presses in the same, and the new chamber, with the chamber over that for his man. The first senior fellow the chamber next adjoining to the chappell, with the studdy; the second senior fellow the chamber over that, with the studdy; the fourth senior fellow or usher to have the chamber over that. One of the musique masters to lodge in the musique schoole, the other in the chamber at the north end thereof. The other fower junior fellowes or Chaunters of the said colledge to have their lodgings appointed them in the said colledge by the master and warden of the said college for the time being. The twelve poore schollers for the tyme being for ever to have the long chamber over the two organists' chambers. The six poore brethren to have the six ground chambers on the east side of the inner court; and the sixe poore sisters to have their lodgings on the sixe ground chambers on the west side of the inner court;

and the servants of the said college to be lodged in the said college, from time to time at the discretion of the master and warden of the said college for the time being.

98. Item, that all pensioners and commoners in the said College shall be lodged at the discretion and appointment of the m^r or warden of the said college.

99. Item, That yt shall not be lawful for any person to lodge any person whatsoever, in the said college, without the consent or leave of the master, for the time being.

100. Item, I ordaine that it shall not be lawfull for any person or persons of the said college, to keepe or use any weapons in the said college without the consent of the master for the time being, or to play at any game of cardes, or dice, or any other unlawful game in their chambers in the said college, or suffer or permit any other so to doe.

ORDERS FOR THE LANDES, THE REVENUE THEREOF, AND HOW IT SHALBEE DISPOSED.

101. Item, I ordaine and for ever establish for all succeeding times to come, that noe lease or demise shalbe made or lett to any person or persons of any of the landes given by me to the said college; but at one of the said publique audit daies aforesaid, by the consent and approbation of the master, warden, assistants, senior and junior fellows of the said college or the most part of them there present under their hands and common seale of the said college; and the same lease or leases to be graunted for noe longer terme then one and twentie yeares, with a valuable rent reserved thereupon, without any fine to be taken for the same.

102. Item, There shall noe demise, grant, or lease be made or graunted of any pte of the landes belonging to the said college, to the master, warden, senior and junior fellows of the said college, or any of them, or to any other persons, directly or indirectly, to their or any of their use or uses; and if any such lease shall happen to be made or graunted to any person or persons, residing in the said college, or to any other persons except upon those daies before appointed, then every such lease or leases to be void and of none effect, to all intents and purposes whatsoever.

103. Item, That in Easter weeke yearelie, the M^r or warden, and two of the fellows of the said college at the least, shall survey all the landes and tennts belonging to the said College; and where they shall finde any want of reparation, then they to take notice thereof in wryting, and leave them with the several tenants, or at their dwelling howses, that the said defects or wants are to be amended at the tymes lymited by their several leases; and the said warden and fellows shall repaire againe to the said leased landes and tennts in the moneth of October then following, to survey or see if the said reparacions, wants, or defects, be repayed or amended accordingly; also they shall view the thirtie members dwellings, with all such lands, howses, and tennts as are not in lease, and taking notice of the wants thereof as aforesaid, shall present the same at the next publique sitting, that order may be given for the repaying thereof.

104. Item, that the garden and orcharde, together with the three home fieldes called the Howletts, adjoining to the college, shall not be demised to any persons, but the same shall continually remaine in the use of the college for places of recreation of those of the college to walke in, or use any commendable exercise therein. All the fruit growing there or elsewhere to be alwaies gathered and employed for the generall use and pvision of the said college.

105. Item, I ordaine that noe part of two hundred acres of coppices or wood lands, nor so much of the earable and pasture land belonging to the said college which shalbe used as a demeson for pvision thereunto, and shall not at any time after my decease

be demised in lease to any psons whatsoever, but that the same shall remayne in the occupaçon of the college, and be husbanded by the master and warden, with the consent of the most part of the senior or junior fellowes thereof, to the best benefit and advantage of the college, and for the better and more easie provision of bread, and beere and other victualls, as also for the fewell of the said college.

106. Item, that out of the said coppice of two hundred acres shall yearly twentye acres thereof be sould or felled, of the growth of tenne yeares, and not under, the said woodfalls to be made at seasonable times, wherein the lawes and statutes of this realm of England for the preservaçon of the timber trees are to be duly observed.

107. Item, that the college, out of the coppice, woodes, pollardes, or headgroves yearly felled upon the landes thereunto belonging, shall be yearly provided of sufficient fuell for the said college to be spent in the hall, parlour, servants hall, kitchen, bakehowse, brewhouse, at such proporçon and allowance as the master, warden, and fellowes of the said colledge, or the most part of them, shall appoint.

108. Item, That out of the said wood falls the master of the said college for the time being, shall yearly have for his owne fuell in his chamber two hundred faggotts; the warden shall yearly have two hundred faggotts for his owne spending; the fower senior fellowes of the said colledge shall yearly have for their own spending one hundred and fifty faggotts a piece; the six chaunters or junior fellowes shall yearly have one hundred faggotts a piece, for their own spending. All the said faggotts to be brought home to the said college, at the charge of the said college, betweene the first of September, and the feast of All Saints, yearly, to be kept in the yarde in a stack, and delivered by the baylife to the master, warden, and fellowes by halfe hundreds or quarterns, as they shall desire.

109. Item, I especially prohibit and forbid, for all succeeding times to come, that any timber trees fitt for shadow or shelter be cutt and felled in any of the groundes adjoining or lying neere to the west, south, and southwest ptes of the said colledge.

110. Item, that noe timber trees shalbe felled upon any of the landes belonging to the said college, but only such are of necessitie to be employed for the building or repaying of the said college; and that noe timber be sould to any pson or psons whatsoever, but to the tenants of the landes belonging to the said colledge in Dulwich aforesaid, for the building or repaying of their tenements there, and not to be otherwise bestowed or employed to any other use.

111. Item, I ordaine, that the master and warden of the said college, for the time being, shall keepe and maintaine husbandry upon the lands belonging to the said college, as much as shall necessarily serve for the necessarie provision of the said college.

112. Item, that the master of the said colledge for ever, for the time being, shalbe allowed diett for one man, and the warden for one other man, both at the chardge of the colledge, to waight and attend upon them, and that for the service of the said College. And also these servants hereafter following shall be hired and kept in the college, at the charge of the said College, that is to saie, a porter, a cooke, a maultster and brewer, a butler, a bayley to look to the woodes, cattel, and husbandry, one ploughman, being eight in number, at the rate of three poundes yearly wages a piece; one kitchen boy, and one plough boy, at two poundes yearly wages a piece, and all of them to be single persons, for ever for the time being, and to receave, besides their yearly wages, these liveryes at the charge of the college, that is to saie, at Easter, a coate of the same cloth whereof the poore schollers coats are made of, and against the first of September yearly one black frize coat.

113. Item, I ordaine, and for ever establish, for all succeeding tymes to come, that

the revenewe of the landes which I have given to the said College, amounting to eight hundred pounds per annum, or thereabouts, shall be yearely disposed and devided in such manner and sort as hereafter ensueth, that is to say,

For the diett for the master, warden and ten senior and junior fellowes, after the rate of ten powndes p annum a peece .	cxx ⁱⁱ
For the diett of the xii poore schollers and ten servantes .	cx ⁱⁱ
For bread and beere for the xii poor brothers and sisters two pence a daie a peece for all, xiiij ^s a moneth * p ann. .	xxxvj ⁱⁱ x ^s
For the master's pençon, to be payd quarterly, p ^r annum .	xl ⁱⁱ
The warden's pençon, to be paid quarterly, p ^r annum .	xxx ⁱⁱ
The two first senior fellowes pension, to be xii ⁱⁱ a yere a peece, paid quarterly, pr annum .	xxiv ⁱⁱ
The two second senior fellowes' pension, to be x ⁱⁱ a yeaere a peece, paid quarterly, per annum .	xx ⁱⁱ
The two first chaunters or junior fellowes, vizt., organists to be sixe pounds to each of them, paid quarterly, per annum .	xii ⁱⁱ
To the said two first chaunters or junior fellowes, to find stringes for their instrumentes, pap penne and inck, for the twelve poore schollers, eleaven shillinges and viij ^d a peece, per annum .	xxiiij ^s iv ^d
The other fower chanters or junior fellowes' pension, to be v ⁱⁱ a year a peece, paid quarterly p ^r annum, .	xx ⁱⁱ
The xii poore brothers & sisters' pençon, in money, iv ^d per diem, to be paid monethly, and every day a wheaten loaf, weying xii ounces troy weight, and a full quart of eight shillinges beere to each of them; the money pençon, p annum is vi ⁱⁱ i ^s viij ^d , besides the bread and beere, which in the total per annum is seaventy and three powndes .	lxxiiij ⁱⁱ
For their xii gownes, to be delivered them on the first of September, once in two yeares, for ever, after the rate of xx ^s a peece, p ann. .	vj ⁱⁱ
For the xii poore schollers apparell per annum .	xx ⁱⁱ
For the sixe assistantes, their horshier, x ^s a peece, per annum .	iiij ⁱⁱ
The thirtye members, vj ^d a week, a peece per annum .	xxxix ⁱⁱ
Thirty gownes for them once in two yeares, at xx ^s price a peece, per annum .	xv ⁱⁱ
Eight servants or officers of the college for their wages, in total, per annum † .	xxij ⁱⁱ
Liveries for those Servantes, at twelve shillinges and sixe pence a peece, per annum .	v ⁱⁱ
In augmentaçon of diet for the Assistantes' dynners, and the fower feasting dayes, for the twelve poore brothers and sisters, per annum .	iiij ⁱⁱ vi ^s viij
The sume of these is, p annum .	<hr/> vi ⁱⁱ

* The word "moneth" is evidently a clerical error; it should be 14/ per week.

† This calculation is correct, only if six servants at £3 and two boys at £2 are taken as being the "eight servants or officers."

114. Item, I ordaine and for ever establish, that the remainder of the revenewe being twoe hundred powndes per annum as aforesaid, of the said landes belonging to the said college, with all other advancementes, profitts, and commodities which shall arise and accrewe to the said colledge, if there shalbe any, shalbe kept by the warden untill the audit, which shalbe yearely holden on or about the fourth day of March, and then and there, by the warden of the said college for the tyme being brought into the m^r, assistants, senior and junior fellowes, or the most parte of them, to be disposed of in this manner and forme following, and noe otherwise.

115. Item. That out of the said remainder, there shalbe first put into the treasury chest one hundred poundes, if yt shall amount to so much, which shall allwaies be ready for any suddaine cause of ymploym^t; and if case shall require at any time to breake the said sum of cⁱⁱ, or any pte thereof, that then at the next auditt day at or about the fourth daie of March, the saide sum of one hundred poundes shalbe supplied and renewed againe, so that alwayes from time to time, at the next audit in Marche, one sum of one hundred pounds shall remaine in the treasury, and noe more.

116. Item. That next out of the aforesaid remainder, shalbe satisfied and paide all bills, of repa^cions and lawesuites, if there be any disbursed by the warden; also for preferment of the poore schollers at their departure from the college, and tenn poundes annually to be disbursed, for the repera^cion of the highwayes, vizt., the horsway and footway betweene Camerwell Towne and the college.

117. Item: That after these disbursements, or so many of them, as shall yearely fall out, if there shall remaine the sum of fiftene poundes or upwards in stock, over and above the cⁱⁱ in the treasurie chest, then the said xvⁱⁱ, or any other greater sune which shall remaine, shall at that auditt be divided into six hundred equal partes or dividents, and bee disposed of and distributed in man^r following, that is to say,

	Parts
To the m ^r for the time being	40
To the warden for the time being	30
To the first Senior Fellow for the time being	12
To the second Senior Fellow for the time being	12
To the third Senior Fellow for the time being	10
To the fourth Senior Fellow for the time being	10
To the first chaunter or junior fellow for the time being	06
To the second chaunter or junior fellow for the time being	06
Towards strings, pap, pennes and inck	1½
To the third chaunter or junior fellow for the time being	05
To the fourth chaunter or junior fellow for the tyme being	05
To the fifth chaunter or junior fellow for the tyme being	05
To the sixt chaunter or junior fellow for the time being	05
To the xii poore brethren and sisters for the time being	109½
For the bettering of their xii gownes	06
For the bettering the xii poore Schollers' appell	20
For addi ^c ion of y ^e assistants hors hire	03
To the 30 members, amongst them all	39
For the bettering of their gownes	15
To the increase of the x servantes' wages	22
For the bettering of their liveryes	05

	Parts
For increase of diett for the master, warden, and fellowes . . .	121*
Also for the xii schollers and ten servants increase of diett . . .	110
Increase of diett for the assistants dynner, and for fower daies of feasting, the twelve poore brothers and sisters . . .	03½

The remainder of the said six hundred parts, shalbe delivered to the warden of the said colledge, as the first receipt of moneys to be by him disbursed for the benefitt and good of the said college.

118. Item, I ordaine, and for ever establish, that if at any time or times hereafter, by any waie or meanes whatsoever, this revenewe of eight hundred poundes p. annum, wch I have given to the said college, should sinck or decrease under the yearely value of sixe hundred poundes (wch God of his goodnes forbid), that then and in such case, there shalbe, (by the consent of the visitor) a generall defalcaçon out of all the pençons porçons, and allowances aforesaid proportionably; and the said abatement to contynue till such time the said revenue shall amount to the annuall value of viCⁱⁱ p. annum againe, and noe longer.

119. Item, I ordaine, and for ever establish, for all succeeding tymes to come, that the churchwardens of the pish of S^t Buttolphes without Bishoppsgate, London, and their successors for ever, to whome I have given a tente in Dulwich, called the Blew howse, shall annually and for ever dispose of the revenue thereof, in manner and forme following, and noe otherwise, that is to say, every year, yearly, on the first Sunday of September, being my birthday, they shall, in the pishe church of their said pishe, in the forenoone, after Divine service, give unto those ten poore people of their pish which are called members of God's Guift College aforesaid, and their successors, twelve pence a peece for ever; and all the full residue of the said yearely rent they shall give unto such and so many other poore of their said pish as they thinck are in most neede, sixpence a peece for ever.

Provided alwaies, that albeit I have in these former statutes lymitted the sixe poore brothers, sixe poore sisters, and twelve poore schollers, to be of the said fower pishes aforesaid, yet notwithstanding if yt shall so happen that at such time or times, when a poore brother, sister, or poor scholler's place shalbe void in the said college, and not any in the aforesaid fower pishes can be found capable thereof, that then and in such case it shalbe lawfull for the Mr, warden, senior and junior ffellowes, or the most pte of them, to make choice of a fitt person in any other countie, pish or place whatsoever.

120. Item, I ordaine that all the penalties and forfeitures of money which shalbe had or made by the Mr, warden, fellowes poore brethren and sisters of the said colledge, or any of them, shalbe deducted out of their severall stipendes and pençons as they grow due; and the warden of the colledge for the tyme being, shall, for ever, as occasion requireth, imploy, convert, and bestowe the same towards the detryments and repaçon of the howsehold stuff of the said colledge and at every auditt shall give accompt thereof accordingly.

121. Item, I ordaine that all these aforesaid statutes, lawes, and ordynances, for the orderly and well governing of the said colledge, with the lands thereunto belonging, and every member thereof, may be the more better observed and kept for all succeeding times to come, that the wholl bodie of the statutes of the said colledge, by the warden or one of the senior fellowes, in the presence and hearing of every pson or psons in any wise belonging or appteyning to the said college, be read at fower sewall times or daies in the yeare; the first day of September, the first day of December, the

* The original is 121; but this is evidently a clerical error, and should be 120.

first day of M'ch, and the first day of June; and when any of these fower daies fall on a Sunday, then they shalbe read the next day following.

In witness whereof and that these my ordinances, constitutions, provisions, rules, and statutes for the good and orderly rule and government, as well of the said college, as of the Master, Warden, fflower ffellowes, six Assistants, six Chaunters or junior ffellowes, six poore Brethren, sixe poore Sisters, twelve poore Schollers, and thirte members, and also of the Mannors, Messuages, Land Tenem^{ts}, & Hereditaments may the better and more orderly and constantly be kept, observed, continually, and had perpetually and for ever. I the said Edward Alleyn have caused this Quadruplicate wryting to be written, and have to every pte thereof subscribed my name the nine & twentieth daie of September in the second yeare of the raigne of our Sovraign Lord Charles by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith &c. Anno Dmi 1626. And the first pte of this Quadruplicate I will & do assign, by these presents, to remayne & be kept up continually in the comon Chest of the said College, where the other evidences of the said College are to be and remayne: The second part thereof to remaine & to be continually kept in the Vestrie of the Pish Church of S^t Botolphe's without Bishoppsgate, London, in such Chest, or other convenient place wherein the evidences belonging to the said Church doe remayne: The third part thereof to remaine and continually to be kept in the Vestrie of the saide Pish Church of S^t Saviours, in Southwark, in the county of Surrey, in the Chest, or such other place there wherein the evidences belonging to the said Church and Pish doe remaine, and are kept. And the fourthe part thereof to remaine and continually to be kept in the Vestrie of the Pish Church of S^t Giles without Crepplegate, London, in such chest or other place as is there used for the safe keeping of the evidences, and wrytings of the said Church and Pish.

E. ALLEYN.

Published and subscribed by the said Edward Alleyn, the daie and yere within written, in the presence of

JOSEPH REDING: MATTHEW SWEETSER
HENRY DELL: JOHN CASINGHURST
GEO. BROME, Scriv^r.

[Witnesses as above are in the original, but in contemporary copies the first witness is "Samuell Bridges."]

ADDITIONAL ARTICLES TO THE STATUTES.

Yet considering with myself what is herein ordayned and stablished by me, I may hereafter upon better consideration alter the same, in regards man's reason cannot presently foresee all thinges in a busines of this consequence, which ought to be observed in making these orders and statutes, so that some thinges maye be omitted which ought to be inserted, and other orders and statutes herein expressed, which at the first may seeme reasonable and profitable for the said college, but in the use and practice thereof may prove to be discommodious and not so fitting to be observed: Therefore I doe, lastly ordaine and constitute that yt shalbe lawfull for me at any time or tymes during my life, to add any other orders, statutes or constitucons to these herein containyd for the well and orderly governing of the said college, or otherwise

to alter, convert or amend any of the before recited orders, statutes and constitutions; and at my will and pleasure, during my life to place or displace, alter, chaunge or remove any of the Master, Warden, four fellowes, six Assistants, sixe Chaunters, or junior fellowes, sixe poore brethren, sixe poore sisters, xii poore schollers and thirtie members of the said College, anything in these p^rsents conteyned to the contrary notwithstanding.

And lastly having taken into consideracon these decaying times, in the fall and abatement of rents, and having imposed a great charge upon the said Corporacon, and willing, as much as in me lieth, to add and augmente unto them some further meanes to supply all occasions that may hereafter happen, I ordayne and confirme unto the said Corporacon of God's Guift Colledge aforesaid (after my Debts legacies and funeralls shalbe paid and discharged) my two Leases the one of them being of one capitall messuage or Inne called the Unicorne scituate in the borough of Southwarke, and the other of certaine capitall messuages & tenits called the barge the bell and the cock scituate on the banck side in the pish of S^t Savio^rs in Southwark in the county of Surrey. To have and to hold unto the said Corporacon according to the intent and true meaning of my last will and testam^t bearing date the Thirteenth daie of this instant November 1626. Charging the m^r, warden & fellowes of the said college for the tyme beinge to extend their uttermost endeavo^rs for the renewing of the said leases (as occasion may be) for the good of the said College & relief of the poore there, according to my intent & meaning in the institucon thereof.

Dated this twentieth day of Novemb. 1626.

E. ALLEYN.

Published and subscribed by the said Edward Alleyn the day & yeare above written in the p^rice of

JOSEPH REDING
HENRY DELL

MATTHEW SWEETSER
JOHN CASINGHURST
GEO. BROME S^r.

WILL OF EDWARD ALLEYN.

In the name of God. Amen:—The thirteenth day of November, in the year of our Lord 1626, and in the second year of the reign of our sovereign, Lord King Charles &c. I, Edward Alleyn, of Dulwich, in the county of Surrey, Esquire, being sick in body, but of perfect mind and memory, thanks be given to Almighty God, do make and ordain this my present Testament, declaring herein my last will, in manner and form following: That is to say, first and principally, I commend my soul to Almighty God, my merciful Creator, and to Jesus Christ, my most loving Saviour and Redeemer, in whom, and by whose merits, I only trust to be saved, and made partaker of everlasting life: and my body I will to the earth, from whence it came, without any vain funeral pomp or show, to be interred in the quire of that chapel, which God of his goodness hath caused me to erect, and dedicate to the honor of my Saviour, by the name of Christ's chapel in God's Gift College, heretofore by me founded in Dulwich aforesaid

Item. My mind and will is, that all such debts and duties, which of right or in conscience I do owe and stand truly indebted in unto any person or persons whatsoever, shall be truly paid and satisfied after my decease, so shortly and conveniently as may be.

And whereas I, the said Edward Alleyn, and one Matthias Allen, he being a person by me put in trust for and in performance and assurance of one thousand and five hundred pounds, to and for my loving wife, Constance Alleyn, after my decease, have by two several deeds of demise, grant and assignment, bearing date the nine and twentieth day of June, last past, before the date of these presents, granted, assigned, and set over, unto Sir Nicholas Carew, of Beddington, and Sir Thomas Grymes, of Peckham, in the County of Surrey, Knights, their executors and assigns, one capital messuage and tenement, or Inn, called the Unicorn, in Saint Saviour's parish, in the Borough of Southwark, in the County of Surrey, and all other messuages and tenements there, &c.

And also, I, the said Edward Alleyne and Matthias Allen, by the other of the said deeds have likewise granted, assigned, and set over, unto the said Sir Nicholas Carew and Sir Thomas Grymes, their executors and assigns, certain capital messuages and tenements, called the Barge, the Bell, and the Cock, situate and lying on the Bank side, in the parish of S' Saviour's aforesaid. And whereas likewise, for further assurance of the said one thousand five hundred pounds, for my said wife as aforesaid I, the said Edward Alleyn, have acknowledged a statute of two thousand pounds, bearing the said date of the nine and twentieth day of June last, unto the said Sir Nicholas Carew and Sir Thomas Grimes.

And whereas, by a pair of indentures of defeazance, dated the said nine and twentieth day of June last, between me the said Edward Alleyn, and the said Sir Nicholas Carew and Sir Thomas Grimes, Knights, wherein the said two Knights have covenanted, that if my said wife (in case she survive me) shall by me, and out of my estate, be left the said sum of one thousand five hundred pounds in ready money, and that my executor or executors shall, within three months after my decease, pay to her, the said Constance, the said sum of one thousand five hundred pounds, that then, and not otherwise, the said statute of two thousand pounds to be void and of none effect, together with the two deeds of assignment or to reassign them to such person or persons as I, the said Edward, shall nominate and appoint.

Now in full performance of the aforesaid assurance, and to shew my full desire to have it really accomplished, I will and require my executors hereunder named, that, first and principally my loving wife Constance (in case she survive me) be according to my agreement, fully satisfied in the best manner that may be, and then I desire the said two Knights to reassign and set over the said two Knights' leases unto my executors.

Item. I give and bequeath unto my said loving wife, Constance Alleyne, in testimony of my further love unto her, and for her present use and benefit, one hundred pounds more, of lawful money of England, which I have already, vizt. on the six and twentieth day of September last, in the presence of Matthew Sweeteser, Edward Alleyne, John Sandford, and John Casinghurst, delivered, to and for her use, unto the hands and custody of the said Sir Thomas Grimes; and moreover, I give unto my said wife all her jewells and other ornaments, which she is now possessed withall.

Item. I give and bequeath to the Corporation of God's Gift College aforesaid, these goods and implements following, that is to say, first my seal ring with my arms, to be worn by the Master and his successors. Next I appoint that a Common Seal shall be made for the said College, at the charge of my executors, which said two seals shall be repaired by the College, as often as need shall require.

Also all the wainscots, hangings, pictures, carpets, presses, tables, chairs, forms,

and stools, in the said College, with all shelves, desks, and seats, also my books and instruments; and likewise all the furniture in the twelve poor scholars' chambers; that is to say, six bedsteads, six matts, six mattresses, six feather beds, six feather bolsters, twelve pair of sheets, twelve blankets, six rugs, three dozen of bed staves, and six pewter chamber pots; also I give unto the said College, of my linen, twelve table cloaths, six dozen of napkins, and six towels, whereof one sort or suit shall be of damask and other of diaper, likewise two dozen of pewter vessells, with all other brass and iron vessells of furniture which shall be in use of the said College, at the hour of my death, in any room of the said College whatsoever; also all implements and tools of husbandry, together with two furnished teams, the one with five horses, and the other with six oxen; and my mind is, that all these goods, by me thus given to the said College, shall be by my executors presently by inventory delivered unto them, to be continually by the said College kept in good repair.

Also, I will and require my executors, hereafter named, within two years after my decease, to build ten almshouses, in the parish of Saint Buttolphe without, Bishopsgate, London, for ten poor people of that parish, to be members of the aforesaid College; and likewise ten other houses in Saint Saviour's parish aforesaid, for other ten poor people of the said parish, to be likewise members of the said College; which said twenty poor people, being placed in their several houses, shall have such relief and maintenance as in the statutes of the aforesaid College is set down.

Item. I give to Thomas Alleyn, the son of John Alleyn, late of Willen in the County of Bucks, being my cousin and next heir at the common law, the sum of fifty pounds.

Item. I give to Edward Alleyn, junior of Newport, the sum of twenty pounds; and to his two sisters, Elizabeth Newman and Anne Ashpoole, twenty pounds a piece; and I give unto my aunt, Jane Waldock, of Water Laton, the sum of ten pounds.

Item. I give to Anne Alleyn, the now wife of John Harrison, clerk, the sum of twenty pounds.

Item. I will my copyhold lands in Lambeth Marshes to Edward Alleyn, my godson, and his heirs male (which I hope the custom there will allow); and for want of such issue, to John Alleyn, the son of Mathias Alleyn, and his heirs for ever.

Item. I give to Sir Francis Calton, Knight, the sum of one hundred pounds, and hereby forgive him twenty pounds he owes me on his *tre* due long since.

Item. I give to Elizabeth Cutler, my late wife's god daughter, the sum of ten pounds.

Item. I give to Hannah Pickerley the sum of ten pounds.

Item. I give to Elizabeth Russell, a young girl that is now in my house, ten pounds.

Item. I give to all the rest of my household servants that are in my service at the time of my death, so many pounds a-piece as they severally have been and continued years in my service, besides their wages then due.

Item. I will and bequeath to the churchwardens of Saint Buttolphes without, Bishopsgate, London, and their successors, for ever, a tenement in Dulwich, with the appurtenances, called the Blew House, now in the tenure of Edward Kipping, to and for the only use of the poor of their said parish, to be by them employed and disposed of in such manner and form as in the statute of God's Gift College aforesaid is set down, and not otherwise.

And my will is, and I do hereby declare that, after the said fifteen hundred

pounds, and all and every the legacies herein above bequeathed shall be respectively paid, that the said two leases so assigned as aforesaid to the said Sir Nicholas Carew and Sir Thomas Grimes, shall be and remain to the said Corporation of God's Gift College as an augmentation unto them, during the terms thereof, over and above what I have already assigned and assured unto them, to be employed current according to the intent of the statutes of the said College.

And I give and bequeath (after my legacies paid) to my two executors herein to be named, all my lands in Yorkshire, by what name or names or title soever called or known, which I lately purchased of George Cole, Esquire, in their two names to hold to them and their two heirs and assigns jointly for ever.

And I do by these presents give and bequeath all the rest and residue of my goods, chattels, cattle, and ready money whatsoever, after my funerals are discharged and my debts paid, with all the legacies of this my will performed, unto Thomas Alleyn and Matthias Alleyn, my kinsmen, whom of this my last will and testament I make my sole executors, charging them, as they will answer it before the face of Almighty God, at the dreadful day of judgment, that they truly and punctually in every particular (so far fourth as they possibly can) perform this my last will and testament.

And I do hereby revoke all former will and wills by me at any time heretofore made; and in witness of this my last will, containing two sheets of paper, I have to the bottom of each sheet subscribed my name, and being both sheets joined together, at the foot thereof set to my seal, the day and year first above written.

E. ALLEYN.

Sealed, delivered and published as his last will and testament in the presence of us, Joseph Reading, Matthew Sweeteser, Henry Dell, John Casinghurst, Geo. Brome.

[This will was proved in the Prerogative Court of Canterbury on the 13th December 1626 by Thomas Alleyn and Matthias Alleyn.]

CHAPTER IV.

THE HISTORY OF DULWICH COLLEGE, 1626-1642.

THE Founder being dead, Thomas Alleyn the Master, and Matthias Alleyn the Warden, appointed by the Deed of Foundation on the 13th September 1619, assumed their respective offices, and entered upon the duties which had during his lifetime been entirely performed by Edward Alleyn.

They had sundry difficulties to contend with at the outset, both personal and otherwise. In the first place, they were both married men, and the statutes which directed that the Master, Warden, and Fellows should all of them be single, naturally made no provision for the residence of their wives and families in the College. In the second place, grave doubts existed, and probably were expressed, as to the legality of the statutes ordained by the Founder.

The letters patent of King James had limited the members of the College to a Master, a Warden, four Fellows, six poor brethren, six poor sisters, and twelve poor scholars; and by the deed of uses or settlement of the property, the rents were to be devoted to these members, and to no others. But the statutes named six chanters or junior fellows who were actually to reside in the College, and have votes in all matters as the original fellows had; and further, six assistants and thirty out-members, who had sundry duties and some emoluments.

The original beneficiaries naturally demurred to the introduction of these new members, assistants and pensioners, and to the alienation of money which seemed to have been especially appropriated to their own exclusive use.

The Corporation seem to have at once taken legal opinion on the matter, for the Tanner MSS. contain an opinion of counsel Humphrey Davenport, dated 19th June 1627, to the effect that Alleyn could not appoint chanters; and in accordance with that opinion no appointments were made to those offices.

The churchwardens, however, who had been named assistants, and the thirty poor people named out-members, whom the said churchwardens represented, were not so easily dismissed. They claimed their rights, and

were not disposed to be summarily excluded. Accordingly the assistants all attended at the first audit held on the 6th November 1627, when the warden Matthias Alleyn presented his accounts, showing a balance due to him by the College of £90. 5s. 4d., with arrears owing to the Corporation of £41. 4s. 2d., and a liability to the brewer of £19. 12s.

As a specimen, a transcript of part of this account is given here ; and it may be remarked, that until the dissolution of the old Corporation in 1857 this form was adhered to, though the use of Roman numerals was speedily abandoned.

1626

CHARGE.

1627

The accompt of M^r Mathias Alleyn warden of the Colledge of God's guift in Dulwich in the countie of Surrey from the death of the late ffounder of the said Colledge, viz^t the xxvth of November 1626 being Sattorday to Sattorday the third day of November 1627. as followeth

Receaved of Browne in earnest for the Mill	xij ^d
Rec ^d of M ^r Sewer for wood	vij ^s
Rec ^d more of M ^r Sewer for wood sold to him by } the colledge }	L ^u
Rec ^d in earnest of Thomas Downer for Malyns howse	v ^s vj ^d
Rec ^d of John Scrivener in earnest for wateringe	xij ^d
Rec ^d of widow Tapnett for bush bavins 1 load and an } half }	xv ^d
Rec ^d of Stevens for ij loads of haye	ij ^u
Rec ^d of Robert Bodger for the after pasture of the } fower feildes of Ashpole end }	xvij ^s
Rec ^d in earnest of M ^r Nicolls for Dulwich Court } landes }	xx ^s
Rec ^d of the master of the Colledge for one half yeares } boord for his daughter M ^{rs} Joane Alleyn ending } at Michas last L ^a . And more of him for his maides } boord for half a yeare then ending xxx ^s in toto . }	iiij ^u
Rec ^d of Richard Peare for vj acres of the grownd } belonging to Dulwich Court }	xl ^s
And j ^u he oweth still	
Rec ^d out of the Buttery	xiiij ^s v ^d ob.
Sum	lxiij ^u viij ^s ij ^d ob.

CHARGE.

Rente ending at Michaelmas 1627.

Rec ^d of Robert Starkye his wholl yeares rent	xvij ^u xvi ^s viij ^d
Rec ^d of William Staple his yeares rent	ix ^u vj ^s viij ^d
Rec ^d of M ^r Estowe his yeares rent	l ^s

Rec ^d of Robert Bodger in pte . . .	xiiij ^u j ^s iij ^d
Rec ^d of John Bodger for halfe a yeres rent . . .	vj ^u
owing by him still vj ^u	
Rec ^d of M ^r John Sanders in full . . .	lx ^u
Rec ^d of M ^r Mathew his yeares rent . . .	xxiiij ^u
Rec ^d of M ^r Steele for his yeres rent . . .	xiiij ^u vj ^s viij ^d
Rec ^d of Walter Hethersall in pte . . .	vj ^u x ^s
owing still 1 ^u	
Rec ^d of Thomas Hamond in pte . . .	vj ^u
owing still vj ^u	
Rec ^d of M ^r Stoughton for his yeres rent . . .	ix ^u
Rec ^d of Thomas Downer nil	
owing by him xj ^u besides malins howse	
Rec ^d of Henry Collins for his yeres rent . . .	viiij ^u
Rec ^d of Daniell Cranwell in full . . .	iiij ^u
Rec ^d of M ^r Appleton in full . . .	xxviij ^u
Rec ^d of John Scrivener in full . . .	viiij ^u
Rec ^d of ffaver ffoxe in full . . .	xx ^u v ^s
Rec ^d for Dulwich Court nil	
Rec ^d of John Spring in full . . .	iiij ^u xviij ^s
Rec ^d of William Mathew in full . . .	ix ^u
Rec ^d of Edmond Redman in full . . .	xxv ^u xvj ^s viij ^d
Rec ^d of Richard Peare in full . . .	iiij ^u vj ^s viij ^d
Rec ^d of widow Jones in full . . .	xxx ^s
Rec ^d of widow Bone in full . . .	xxvj ^s viij ^d
Rec ^d of the warden in full for his leases . . .	x ^u x ^s
and more receaved of him for 4 acres of the } burnt grownd in full }	xxxvj ^s
Rec ^d of Walter Bone in full . . .	iiij ^u v ^s
Rec ^d of Underwood nil owing 1 ^u	
Rec ^d of Thomas Ellis in pte owing x ^s . . .	x ^u
Sum	cclxxxxviij ^u xiiij iij ^d *

CHARGE.

Rec ^d of John Casinghurst corne nil	
Rec ^d of M ^r Laughton in pte . . .	viiij ^u
owing by him xlvj ^s viij ^d	
Rec ^d of M ^r Diaper in full . . .	xij ^u
Rec ^d of the widow Quarrell in parte . . .	ix ^u xv ^s
owing xxxv ^s	
Rec ^d of widow Japnett in full . . .	xxx ^s
Rec ^d Nicholas ffosters quitrent for y ^e yere . . .	iiij ^s viij ^d
Rec ^d of widow Pagett nil, owing x ^s	
Rec ^d of M ^r Sewer for his ½ yere . . .	iiij ^u x ^s
Sum is	xxxiiij ^u xix ^s viij ^d

There seems to be a mistake of ten shillings in this addition.

Rents of golding lane, whitecrosstreete and Bishopsgate streete.

	Rec ^d of M ^{rs} Smith in full	x ⁱⁱ
	Rec ^d of Broxton in full	vj ⁱⁱ
	Rec ^d of M ^r Johnson in full	iiij ⁱⁱ
	Rec ^d of M ^r Turke for half a yere full	xxv ^s
	Rec ^d of M ^r Iveson in full	xiiij ⁱⁱ
	Rec ^d of M ^r Harris in Bishopsgate street for 3 qters } . of a yere }	xxij ⁱⁱ x ^s
	owing vij ⁱⁱ x ^s	
fortune rents paid in full.	Rec ^d of M ^r Gilborne	x ⁱⁱ xiiij ^s x ^d
	Rec ^d of M ^{rs} Gray	xxj ⁱⁱ viij ^s
	Rec ^d of M ^{rs} Wiggett	v ⁱⁱ vj ^s xj ^d
	Rec ^d of M ^r ffisher in full	v ⁱⁱ vj ^s xj ^d
	Rec ^d of Widow Massye	v ⁱⁱ vj ^s xi ^d
	Rec ^d of M ^r Jackson	x ⁱ xiiij ^s x ^d
	Rec ^d of M ^r Gonnell	x ⁱⁱ xiiij ^s x ^d
	Rec ^d of M ^r Sparke	x ⁱⁱ xiiij ^s x ^d
	Rec ^d of M ^r Tabye	v ⁱ vj ^s xj ^d
	Recd of M ^r Kempton	x ⁱⁱ xiiij ^s x ^d
	Recd of M ^r Smith	v ⁱⁱ vj ^s xj ^d
	Recd of M ^r Blake	v ⁱⁱ vj ^s xj ^d
	Recd of M ^r Bosgrave	v ⁱⁱ vj ^s xi ^d
	Recd of M ^r Comingham	x ⁱⁱ xiiij ^s x ^d
	Recd of George Massye	v ⁱⁱ vj ^s xi ^d
	Sum	clxxxv ⁱⁱ j ^s iiij ^d

CHARGE.

Sum total of all the receipts is	v ^e lxxx ⁱⁱ iiij ^s v ^d ob.
Arrerages of rents remayninge in Tenants hands not yet receaved.	
M ^r Harris	vij ⁱⁱ x ^s
Richard Peare	xx ^s
Robert Bodger	liij ^s vj ^d
John Bodger	vj ⁱⁱ
Walter Hethersall	xx ^s
Thomas Hamond	vj ⁱⁱ
Thomas Downer besides Malins howse	xj ⁱⁱ
John Underwood	xx ^s
Thomas Ellis	x ^s
M ^r Laughton	xlvj ^s viij ^d
Widow Quarrell	xxxv ^s
Widow Padgett	x ^s
Sum of the arrerages is	xlj ⁱⁱ iiij ^s ij ^d

DISCHARGE.

The disburse^{mt} of the said Mathias Alleyn gent warden of the said Colledge from the said 25th of November 1626 unto the third of November 1627, are as followeth

viz^t for diett of the Colledge, pençons, servants wages, reparacons and other necessaries, all w^{ch} pticularly appeare in the said wardens day booke, and are weekly allowed by the master and ffellowes of the said Colledge, and to ewy of the said weekly accompts they have subscribed their names

ffor the first weeke paid	xij ^s vij ^s v ^d
(Then follow the amounts paid in each week to the	
49th week amounting to	vj ^l viij j ^s iv ^d ob.)
Sum total of the payments	vj ^l lxx ⁱⁱ viij ^s ix ^d ob.
Besides due to M ^r Poole the brewer for beere } remayning unpaid }	xix ⁱⁱ xij ^s
Charge	v ^l lxxx ⁱⁱ iij ^s v ^d ob.
Discharge	vj ^l lxx ⁱⁱ viij ^s ix ^d ob.

So the said warden hath disbursed more than he hath receaved, w^{ch} the College is to satisfie him upon future accompt 90ⁱⁱ 05^s 4^d

This accompt was seene viewed audited and allowed by the M^r assistants and fellowes of the said Colledge the vjth day of November 1627 who have in testimony thereof subscribed their names hereunto

THO: ALLEYN	JOSEPH REDING
HEN: PYNSON	MATHEW SWEETSER
HUGH NEWTON	CHARLES FFALDO
MICH. NICHOLSON	JOHN SILLUER.
WILLM MADOX	
JAMES MARSHALL	
TOBIAS MARKHAM	

At this audit, George Brome, who had probably been solicitor to the Founder, as his name appears as witness to the statutes as well as to Alleyn's will, was appointed clerk to the College by the following order :—

Item yt is ordered by the said Court that George Brome of blackfriars London scrivener shalbee clarke of the said colledge to doe them service at fitting tymes for the making up of their accompts and to give warning to the churchwardens of the court daies, and shall have fourtie shillings fee to be paid by the colledge yearely besides the making of all the leases of the saide colledge & other wrytings incident thereunto.

On the 1st May 1628 a second audit was held, and on this occasion the question of the residence of the master's wife was settled. The warden was no longer immediately interested, as his wife Elizabeth had died, being buried in the College churchyard on the 21st March 1627/8.

The settlement arrived at appears in the audit book as follows :—

The opinion of S^r Thomas Crewe and M^r Davenport serieants at lawe & M^r Stone & M^r George Cole councellors at lawe have delivered their opinions under their hands and now shewed to this court, that the statutes doe not contradict but that the nowe master and warden may marrye in regard they were married men when they were

invested by the founder yt is now agreed by the said Court that M^r Alleyn the wife of M^r Thomas Alleyn, Master of the said Colledge shall have her diett in the said Colledge whilst the said M^r Warden and Fellows shalbe in co^mons, or ten pownds a yeare in lieu thereof when they shall not be in co^mons for and during the ioynt naturall lives of the said Master and his said wife. In regard the said Master Thomas Alleyn was noiated and appointed to be master of the said Colledge by the ffounder thereof in his life tyme, wthout excepcon and was then a married man, knowne to the ffounder, and came not in since by elecon according to the orders of the said Colledge. And that the wife of M^r Mathias Alleyn warden shall likewise have her diett or like allowance for the reason aforesaid during their like joint lives out of the said Colledge, if hee may lawfully marry againe, and contynue warden or shalbe master of the said Colledge.

At the second audit, the affairs of the College appear to have been more prosperous than at the first, for after paying the debt due to the Warden there remained a surplus of £57. 10s. 8d., and the members of the College agreed to the distribution of £30 of this sum amongst themselves as follows:—

To the Master	.	.	.	.	£12	0	0
To the Warden	.	.	.	.	9	0	0
To M ^r Reding	.	.	.	.	3	12	0
To M ^r Faldo	.	.	.	.	3	0	0
To M ^r Silver	.	.	.	.	1	16	0
To the poor	.	.	.	.	0	12	0

Mr. Reding and Mr. Faldo were the preacher and schoolmaster respectively, and Mr. Silver the organist. The usher's place was vacant by the death which had lately happened of Mr. Thomas Dickinson.

It is difficult to see how the College reconciled this division with the provisions of statute 117, which elaborately sets forth the mode of distribution in case of a surplus, and moreover expressly declares that there should be no dividend until £100 had been placed in the treasury chest. The Warden did not agree with his colleagues, and refused to accept his £9. The dividend was nevertheless confirmed at the audit on the succeeding 4th September, but as the finances of the College did not admit of another for the next eighty-five years, the question did not again come up in that generation.

At the audit on the 4th September 1629, besides confirming the previous order as to the wives of the Master and Warden, and allowing them keep and stabling for a horse each, the Rev. Robert Welles, the first Fellow, was expelled. The particulars of his offences are not mentioned, but the following is the order made and signed by the Master, Warden, second and third Fellows, the fourth Fellow or organist, though still a member of the College, not signing, the act being apparently that of the Corporation alone, and not subjected to the consent of the assistants.

That we the Master, Warden and Fellows of God's Gift College in Dulwich have with full consent expelled M^r Robert Welles out of his place and dignities that he formerly was possessed of in the said Colledge for breaking and infringing the statutes of the Colledge and for divers misdemeanors by him committed and which hath appeared unto us. Dated this 4th of Sept^r. 1629.

THOM. ALLEYN
MATHIAS ALLEYN
CHARLES FALDO
JOHN VIELL

Mr. Welles seems to have appealed to the Visitor, who confirmed the expulsion, but allowed the appellant his diet until the succeeding All Saints' Day, as appears by the following entry in the Warden's accounts :—

30 Sept. 1629. Paid M^r Wells for dyet w^h he was to have from y^e colledge till All Sainte daie nexte by the appoyntment of my lord Bishopp of Canterbury visitor 02^u 00^s 0^d.

The Master appears to have had his family to reside with him in the College, for in March 1629/30 the Warden's receipts include a sum of £2. 10s.—from the Master for diet for his son, Mr. Edward Alleyn. Several of the Fellows also paid for food out of the Buttery, and in 1630/1, the Warden received £1. 8s. 7d. from Mr. Rivers, "commoner in Mr. Blemell's" (the Preacher's) upper chamber." This Mr. Rivers had been admitted in the previous October, as appears from the following note in one of the Warden's account books :—

18 of October 1629 being Monday S^r John Rivers brought his son to the Colledge to be commoner.

No mention being made of any payment to the College in respect of his education, it is probable that Mr. Rivers was, in fact, a private pupil of Mr. Blemell's.

In the year 1630, Archbishop Abbot held a visitation of the College, the particulars of which are recorded in Latin in his register at Lambeth Palace. The citation summoned the whole society and servants to appear in the College chapel on Wednesday the 23rd June 1630, on which day the Commission was opened by Thomas Buckner, D.D., one of his Grace's domestic chaplains, and by him adjourned to Tuesday the 6th September. On that day the Archbishop personally attended, and, seated in the chapel with William Dobson, apparitor-general, admonished the Master, Warden, and Fellows to support the poor and the scholars both present and to come, and to behave themselves soberly and modestly, and to observe the statutes and ordinances of the College in accordance with their oaths.

This admonition was probably meant to settle the question as to whether the pensions of the thirty out-members were to be paid or not, and though

it is by no means clearly so expressed, it seems to have been decided in the negative, as will presently appear.

At the audit held on the 4th September 1630, it was ordered—

In regard Thomas Bringhurst servaunt to the master of the Colledge and having used to brew for the said Colledge and to buy their mault, for that hee hath dealt fraudulently for the said colledge and purloyned divers psells of mault from tyme to tyme to their great wrong and preiudice, that he be expelled the said colledge, and not to have any residence in the said colledge or any benefitt from thence hereafter.

On the 27th March 1631, Thomas Alleyn, the first Master, died, and was succeeded, in accordance with the statutes, by Matthias Alleyn, the Warden (Stat. 13).

It will be remembered that at the audit on the 1st May 1628, it was declared that Matthias Alleyn had the right to marry a second time if he so wished; and that his wife should have her diet in the College. He exercised this privilege, but there was some difficulty in regard to his wife's residence, as among some papers recently discovered at Dulwich College (addl. MSS.) is a petition from him to the Archbishop at this date, praying that he may be allowed to have his wife to reside in the College, and also that he may be allowed the keep of a horse. Neither request seems to have been granted.

A court extraordinary was held on the 18th April to elect a new Warden. It will be remembered that the statutes provided that two persons should be selected, "single persons and unmarried, of my blood and sirname, and "for want of such of my sirname onlie" (Stat. 3), and that these two should draw lots (Stat. 16). The court, however, decided that the Founder's kin had a claim prior to all others, and elected Mr. Thomas Alleyn, "cosen and "heire at the coñon law to the ffoüder of the said colledge;" adding, "which "Thomas Alleyn was so elected in regard there was none equall in blood "and condicon wth him, but only M^r John Alleyn, sonne of the said Mathias "Alleyn master, who was then under age. And therefore the Court "thought fitt that noe stranger should stand wth him as a competitor in the "choice so long as there is any one fitt of the blood and surname to execute "the place of Warden aforesaid. And therefore have elected the said "Thomas Alleyn to be warden."*

This resolution is signed by the "whole court," that is, the assistants as well as the members of the Corporation.

The new Master kept the accounts of the College instead of the Warden until the next audit on the 5th September 1631, "by reason he (the

* Extract from the will of Edward Alleyn :—Item. I give to Thomas Alleyn the son of John Alleyn late of Willen in the county of Bucks being my cousin and next heir at the common law the sum of fifty pounds.

"new warden) is not yet well instructed in the said office," and on that day he showed a balance due to him by the College of £263. 8s. 1d. The rent due by the late Master Thomas Alleyn was set off "for his oats for keep allowed "for his Horse." It does not appear what lands had been held by the Master, though it is stated in the first audit minutes that the then Warden, Matthias Alleyn, was a tenant of the College to the amount of £12. 6s. per annum rent.

There seems to have been some difficulty in finding the money to pay off this debt, for although an order was passed on the 5th March 1631/2 to pay off the Master's debt from the "first and next receipts "that shall accrew to the said Colledge by Rents or otherwise," it remained unpaid until March 1632/3, when "security was given by the "Master, Warden and Fellows of the College to M^r Lawrence Brindley for "the sum aforesaid viz^t £263. 8. 1. due to the master," the bond being dated 14thth April 1633, under the College seal, and witnessed by Geo. Brome, the solicitor.

On the same 5th March 1631/2 John Allanbee, one of the poor brethren, was expelled from the College for various offences, which are thus set forth,—

fforasmuch as John Allanbee one of the Almesmen of the colledge called God's guift colledge in Dulw^{ch} hath been a disorderly person since he came into the colledge and often offended by breaking the statutes of the said colledge, for w^{ch} his misde-meanors he hath bene sundry times admonished and reprovved and his offences pdoned. Nevertheless the said Allanbee contynuing in his vices both of drunkennes and other lewd offences was by the master of the colledge reprovved the first daie of March 1631, but the said Allanbee did stubbornly answeere the master that he did noe more then the spirit of God moved him to, iustifying himself and would not be brought to any obedience of an orderly and civile life and being often found guiltie of these offences following viz^t. 1. Being a scolding and railing pson, falling out with the rest of his brothers and sisters, and would not live att peace with them.

2. For abusing the ffellowes of the Colledge sundry times cursing and swearing and wishing god to confound all prowde prests.

3. For being often drunk.

4. For running into Chappell in time of Divine Service drunck and reeling and could not stand upright upon his legges.

5. For his obstinate answeere to the Master of the Colledge to iustify himself in his lewd courses being reprovved.

6. For frequenting the womens chambers, contrary to the statutes, for which he had often warning to the contrary.

7. For that it did appeare by confession of one of the poore sisters of the Colledge that the said John Allanbee would have laine with the said poore sister persuading Her that ffornication was not sinne att all, if both parties were agreed.

For these offences wee whose names are here subscribed doe conceive that the said Allanbee was not worthie to live in a civile societie and therefore wth a full consent have expelled the said Allanbee out of the said Colledge for ever according to the statutes and ordinances made in that behalf. (Signed by the Master, Warden and four

Fellows.) The said John Allanbee having appealed and his case at large heard and debated, he was found guiltie and therefore expelled the said Colledge by generall consent of the court of assistants of the said colledge.

About this time both the parish of St. Giles, Cripplegate, and the parish of St. Botolph's, Bishopsgate, took action against the College to enforce the payment of the pensions allotted in the statutes to the thirty out-members, or inhabitants of the almshouses, which Edward Alleyn had himself built in St. Giles during his lifetime, and which he had ordered his executors to build in St. Botolph's and St. Saviour's. In the year 1695, Mr. Richard Prichard, the then senior Fellow, arguing against these payments in a paper addressed to the Archbishop of Canterbury, gives the following account of what took place:—"For w^{ch} and "other like reasons particularly for that y^e additional number would have "no legal right in y^e estate or establishment, the intended allowances of y^e "thirty out-members were stopt soon after y^e death of y^e ffounder. "Complaint whereof being made by y^e Parish of St Giles Cripplegate "on or about y^e sixth of January 1632, before his Grace the then "Archbishop as Visitor of y^e s^d College, and council being heard on "both sides his Grace thought fitt to dismiss the complaynants without "redress declaring it to be matter of Law wherein he would not determine "anything." *

There is no record of this application in the Archbishop's register, but the Donation Book of St. Giles, now St. Luke's, parish contains a statement of a case submitted to counsel, requesting their opinions as to whether Mr. Allen after this erection of a corporation by "authority may without any "new license, add any new members thereunto, or give any pensions out "of their meanes formerly conveyed and settled to any other person not "mentioned in the letters patent &c. and contrary to his own deede and "fine whereby the lands are limited to the only use of the master warden "four fellows, six poor brethren six poor sisters and 12 poor scholars. "And whether he may add new uses and give pensions to any other people "out of his Grant."

To this are annexed the opinions of Mr. Sergeant Henden, Mr. Stone, of London, Mr. Hearne, Dr. Rivers, Sir Thomas Crew, Sergeant, and Mr. Sergeant Davenport, who is described as "now Lord Chief Baron." As Mr. Sergeant Davenport became a Justice of the Common Pleas on the 2nd February 1630 and Lord Chief Baron on the 10th January 1631, the opinions must have been given previous to the former date, but a note at foot is probably of a later year. It runs—

* A mutilated case for the opinion of counsel as to the rights of the assistants, contains a marginal note alluding to the hearing of the case of the Parish of St. Giles by the Archbishop on the 19th January 1632.

“ It is clere that Dulwich College hath given as a benevolence to the
 “ said Alms People the said allowance but it appears the Master has
 “ disbursed £263. 8. 1., and the College having run behind so much they
 “ are enforced to forbear all unnecessary allowances and payments unduly
 “ charged upon the college.”

Although it is not in the regular sequence of date, it may be here mentioned on the authority of Mr. Prichard's paper, above quoted, that
 “ about five years later y^e Parish of St^e Giles procured a Commission for
 “ Charitable Uses for to make enquiry into and determine y^e s^d cause, upon
 “ hearing whereof at Guildhall on y^e tenth of January 1640 there was
 “ an order made that y^e Defendants viz^t y^e Master Warden and ffellowes of
 “ y^e College sh^d be discharged from any further attendance touching y^e
 “ matter then in question and y^e complaynants dismissed without redress.
 “ From and after which time for y^e space of about 24 yeares it does not
 “ appear that these thirty outmembers or that y^e churchwardens of their
 “ Parishes on their Behalf did attempt any further either in law or Equity
 “ y^e Recovery or rather obtaining of their pretended Right to the said
 “ allowances untill y^e yeare 1664.”

The parishes of St. Botolph and St. Saviour's were differently situated to that of St. Giles, inasmuch as the almshouses in those parishes were not yet built; and the matter was brought before the Court of Chancery in 1633 in a suit instituted by Dr. Thomas Worrall, rector of St. Botolph without Bishopsgate and other parishioners, against Matthias Alleyn, as executor of Edward Alleyn, for the purpose of enforcing the building of ten almshouses as directed in Alleyn's will. The following decree of Lord Keeper Coventry pronounced by consent in this suit is taken from a certified copy of the original records now in the Tower of London, which was obtained in 1841 for the purposes of a suit then depending between the Attorney-General and the College :—

“ Sa. xxj decembris Termino S^u Michis Anno Regni Caroli Regis nono Annoque
 “ Dni 1633.”

“ Uppon the hearing and debating of the M^r this daie upon the Bill and Answers
 “ before the Right Hon^{ble} the Lord Keeper in the presence of Councell learned on
 “ both sides It appeared that King James by letters Patents dated the xxjth of June
 “ xvij^o of his raigne licensed Edward Allen the Testator to erect the said Colledge to
 “ consist of one M^r one Warden, fower Fellowes, 6 poore Brethren, 6 poore Sisters and
 “ 12 poore Schollers to be mayntayned ruled and governed according to such
 “ foundaçon and statutes as the s^d Edward Allen should make under his hand and
 “ seale. And by the s^d Patent authorized him to amortize to the Corporaçon divers
 “ landes, p^ticulerlie mençoned in the Patent but gave noe power to alter or add any
 “ members to the Corporaçon. In pursuance of which authoritie the Testator by
 “ Deed in formâ Juris erected the said Colledge and called it God's Guift Colledge in
 “ Dulwth. And by Indenture dated the xxiiijth of Aprill xvij^o Jac the Testator
 “ covenñted with Will^m Alleyn and W^m Austen to levye a ffyne of all the landes in

" the Patent to the use of the Corporaçon and a fyne was levyed accordingle. After
 " w^{ch} lycense incorporaçon and alienaçon in Mortmayne the Testator builded
 " Almehowes in the Parishe of S^t Giles wthout Cripplegate London for ten poore
 " people and gave to each of them 2^s 6^d quarterlie and a gowne once in 2 yeares soe
 " long as he lyved and not long before his death he made Ordynances for the psons
 " therein according to his Patent and likewise made Ordynances for the 10 poore
 " people in S^t Giles Parish and having a purpose in his lifetime to build x other
 " almehowes or one Almehowse for x poore people in the Plts Parish and the like
 " for 10 poore people in the Parishe of S^t Saviors in Southwark w^{ch} worke he did not
 " effect in his life tyme but yet made Ordynances for the government of his intended
 " Almehowes. And amongst other things sett downe in his Ordynances that the
 " thirty poore people of the 3 severall Pishes aforesaid should have 6^d a weeke a peece
 " and gownes once in two yeares. And the s^d Testator about Novemb^r 1626 made his
 " will and thereby willed that his Executors wthin 2 yeares after his decease should
 " build 10 Almehowes in the Plts Pish for 10 poore people of that pish to be
 " members of the s^d Colledge And the like for 10 poore people in the Parish of S^t
 " Savours to be members also of the same Colledge w^{ch} xx^v poore people should
 " have such relief as in the statutes of the Colledge are sett downe, and made Thomas
 " Allen and the def^t Mathias Allen his executo^rs and shortlie after dyed. And that
 " the s^d 10 Almehowes in the plts Parish being not yet built nor any ymployment
 " made by Matthias Allen the surviving Executo^r of the monyes remayning in his
 " handes as Assetts. The plts have exhited their Bill to have the same ymployed
 " in some good course for the benefitt of the poore of their said pish. And the Defts
 " by Answer confesse the substance of the said bill and the Testators purpose to
 " build 10 roomes for 10 poore people in S^t Savours Parish and to doe the like in the
 " Pths Parish and that he made Ordynances in his lityme for the 30 poore in the 3
 " severall Parishes aforesaid and that they should have vj^d a weeke a peece and a
 " Gowne once in 2 yeare. But they saie that there is noe power by the Patent to
 " alter or add more members to the Corporaçon at the will of the found^r and that if
 " there had byn a power yet the landes at the tyme of the foundaçon being at a rack
 " rent are since by decaye of teñts and otherwise much abated in the yearlie value
 " besides there are many necessary provisions, charges, quitt rents, duties to the King,
 " charges in suites of Lawe, repaçons for the Colledge and other duties past and
 " groweing expences w^{ch} must be necessarilie supplied out of the Colledge revenue for
 " the Colledge w^{ch} were never thought on by the Founder at the tyme of the
 " Indowm^t and when he made the Ordynances for the Colledge: and the Def^t Mathias
 " Allen doth denye that he hath assetts suff^t in his handes to build the said howses
 " and to buy ground whereon to build them but offereth that if the Plts will sett him
 " out ground he will buyld soe farr as 120^{li} will extend w^{ch} is the moyetie of the
 " assetts he doth acknowledge to be in his handes it being alleaged that it was the
 " ffounders will that the Plts should buy ground for their building, but the Def^ts offer
 " being not accepted It is thought fitt and soe ordered by the consent of the pties on
 " both sides that upon securitye to be given by the said Parish of S^t Buttolphes to be
 " taken and allowed by the Chamberlen of London to ymploy the said 120^{li} for the
 " increase thereof for a stock to be made and raised at seven yeares end to be then
 " ymployed in the parishe of S^t Buttolphe for the purpose aforesaid the said Def^t
 " Matthyas Allen shall paie unto the Plts the said 120^{li} and the securitie is to be
 " given to the Chamber of London and the Chamblen is to alter change and take newe
 " security during the said tyme of 7 yeares as often as he shall hould it convenient.

" And it is ordered that if there shall any newe addiçon of Estate come to the Colledge or that there shall be hereafter an overplus of value in the Colledge " Renewe all the said duties and necessities to the same first discharged then the " s^d Def^t shalbe liable to paye such increase to these addiçonall Charities of the found^r " as this Court shall thinck fitt. And it is ordered that upon paym^t of the said 120^{li} " to the said Parische the said Def^t Mathyas Allen be from thenceforth acquitted and " discharged against the said Parish of S^t Buttolph for or by reason of the bequest " aforesaid."

Since the death of the Founder, the College had regularly filled up the vacancies in the fellowships as they occurred, but in 1632 it is recorded that John Boylston and William Sutton applied to the Archbishop of Canterbury as Visitor for the third fellowship then vacant by the promotion of Samuel Porter. The Archbishop on the 6th November 1632 wrote: "I " referr this Peticon to the master of Dulwich to doe therein what he " shall find agreeable to the statutes. G. CANT." And "on the 7th day " of November the two Peticoners did draw lotts for the Place, and the " lott did fall upon William Sutton, who was forthwith admitted and sworn " fellow."

At the audit on the 4th September 1632, the deeds relating to the "Blew House," which had been bequeathed by Alleyn to the parish of St. Botolph's, were formally handed over to the churchwardens of that parish.

On the 9th October 1634, Mr. John Alleyn, the fourth Fellow, was married to Dionisia, daughter of Mr. Cole of London. This marriage is notable as the first recorded as having been celebrated in the College chapel, and the carelessness with which the register was kept is evinced by the fact that it is first inserted among the burials, and then erased and entered below. There are no signatures attached to the register until a much later date. This Mr. Alleyn appears to have continued to reside in or near Dulwich, as his daughter Elizabeth was baptized in the College chapel on the 19th February 1635/6.

It is recorded in the register of Archbishop Laud at Lambeth, that on Tuesday, 20th January 1634/5, Matthias Alleyn, Master, Thomas Alleyn, Warden, Samuel Porter, Schoolmaster, William Sutton, Usher, and William Holmes, Organist (*pulsator organorum*),* appeared before the Archbishop at Lambeth, and submitted themselves to him. His Grace, accepting their submission, caused certain of the statutes and certain written informations to be read, and inquired of the Master and Warden whether they wore surplices during Divine Service, and sang in the quire, as by the statutes they were bound to do. They replied, "That they being laymen have " conceived itt not to bee fitt for them to weare surplices and that being

* The preacher, the Rev. David Fletcher, was absent.

" unskilful in singing they have not sung themselves." The Master also replied, " That he doth give a man four pounds a year to supply his place " in the Quire in singing and that now and then the same man doth attend " divine service and performeth his part in singing thereatt." And the Warden replied, " That there is a youth who he intends to traine up to " sing and being fitt shall performe his part in the Quire." Whereupon the Archbishop admonished them, " That thereafter they doe daily weare " their surplices and provide able singing men to supply their places in the " Quire, there duly to attend divine service and holy anthems be song (*sic*) " as well on Sundays as other dayes and that the Bason and two candle- " sticks which the master confesseth hee tooke away from the altar and " keepeth att his chamber in the said Colledg be placed there againe. And " that the warden doe provide surplices for the boyes according to the 44th " statute;" and moreover intimated to the said Master, " That he doth not " allow him to keepe a horse att the Colledge charge," and adjourned the visitation to a day to be named.

This visitation was continued on Saturday the 18th July 1635 by Sir Nathaniel Brent, Knight, LL.D., Vicar-General, when the College was ordered to give an account of all its property, according to a book called the " Survey Book," the visitation being adjourned to the 10th September.

On that day all the members of the Society, the butler, the cook, the kitchen boy, and four servants not particularly designated, attended, and twenty-one articles were administered to them. No answers to these questions are preserved. They related entirely to the internal arrangements of the College, and to the observance of the statutes, and are not of sufficient interest to be recorded.

Meanwhile the affairs of the College had not been very prosperous, for the audit on the 4th September 1634 showed the Warden creditor of the College £182. 16s. A sale of timber to the extent of £120 was made, and £100 was borrowed from Mr. Crowther, with the help of which funds and the accruing rents, the College was enabled to pay off £60 of the debt due to Mr. Brindley, and to reduce the amount owing to the Warden to £41. 19s. 8d. by the 4th March 1634/5.

In this year a difficulty arose with respect to the case of Mr. David Fletcher, who had been preacher since the 25th June 1632, and who, having obtained leave to visit his parents in Scotland, prolonged his absence to such an extent as to induce the College to take legal advice as to their right to fill up his office. The case presented to counsel is still extant, and runs thus:—

Case as to the right of appointment of a successor to David Fletcher (preacher fellow 25 June 1632–12 Aug. 1634) who had forfeited his fellowship at Dulwich

College by staying away "three times longer then the Statutes of the Colledge
"allowe:" 1634. (MSS. vi. 4.)

By one of the statutes of Godds Guift Colledge in Dulwich the ffounder hath ordayned for the libertie of the ffellowes, in these wordes following viz. Provided that there be not leave graunted to any pson above 40 daies within one yeare one time with another.

M^r David ffletcher one of the Fellowes of the said colledge had leave for 6 weeks to goe into Scotland to see his Parents, and was to returne againe to the Colledge within the time lymited.

M^r ffletcher having occasion to staie longer in Scotland writes to the M^r of the colledge that he could not returne according to the time given him by statute, and therefore desires the colledge to afford him their favour, w^{ch} some of the ffellowes of y^e colledge formerly had, that is forbearance for a longer time.

The said M^r Fletcher to prevent the Master ward: & ffellowes from goeing to a choice of a new ffellow, writes up to London to the Lo. B^p of Ross,* to desire him to crave y^e lawfull favour of the Lords Grace of Cant, visitor of the said Colledge, to cause the ma^r. ward. & ffell: to make staie of his place, and that none might be admitted into his fellowshippe, in regard he intended to returne to his place in the said Colledge, he having soe provided that his place was supplied in his absence at his owne charge without preiudice to the Colledge.

The Lo: B^p. of Ross did undertake and promise to obtaine the lawfull favour of my Lo[:] Grace, that none should be admitted into his place, but that it should be staied for him till Christmas.

The said M^r ffletcher returned not to his place in the said Colledge as he promised when as he had staied three times longer, then the statutes of the colledge allowe.

The ffounder by his statutes ordayned that when any of the ffellowshipps falle void, then the master warden and the rest of the ffellowes shall within six weeks after pvide two able and sufficient men to draw lotte for the void place, this being omitted, and no choice made within the time lymitted, some would pretend or suppose the college have lost their power of the sayd choice.

Question 1. Whether the colledge have not still the same power in themselves to make choice of a new ffellowe or not in regard the King by Mortmayne (among other clauses) graunts that power of choice to the ffounder, and the ffounder by his ordinance gives the same power to the colledge for choyce and to none other pson or psons whatever.

2. Whether the Lo. Archb^p of Cant as visitor of the said colledge hath any just title to put in a new ffellow or not, in regard of the statute w^{ch} in these words followe, viz.

Provided alwaies that noe title to conferre or present by lapse shall
An^o. 13 Eliz. accrue upon any deprivation (ipso facto) but after sixe monthes after
12 Cap. notice of such deprivation given by the ordinarie to the Patron.

The opinion of counsel is not preserved, but Mr. Fletcher is stated in the Register to have left 12th August 1634, and the College proceeded

* John Maxwell, Bishop of Ross, who was then in London on business connected with the Scottish Liturgy.

to a new election on the 30th January 1634/5, when Mr. Simon Mace was elected.

This appointment was a most unfortunate one, for as extracts from the Tanner MSS. in the Bodleian Library show, he gave an infinity of trouble until his final expulsion in 1639.

An affidavit was sworn by Henry Harris and Edmund Kilby to the effect that "upon the 17th October 1636, M^r Symon Mace, preacher and "senior fellow did quarrell with M^r Matthias Alleyn Master of the College "affronting him in his place and abused him with many uncivill words "calling him hypocrite and Cussener; the master returned answer that he "was neither hypocrite nor cussener, but would show an honest face before "any judge in the land, to which M^r Mace replied and gave the master the "lye," &c. &c.

It would seem that this dispute was brought before a magistrate, for the same MSS. record that the next day, the 18th October 1636, the said Mr. Mace "did abuse the right Worshipful Sir Thomas Grymes* with "very uncivil names."

Further, the usher or third Fellow, William Sutton, "complayned to "the master that Mace had been a great hindrance in teaching the boys of "the school, telling them that learning of Lattin and singing would do "them no good at all. And the said M^r Mace has taken some of the boys "to the Alehouse with him that they have been overtaken in drink," &c.; and generally complaint is made to the Archbishop that "they can get noe "peace in the Colledge while M^r Mace is there."

Next it is recorded that "M^r Simon Mace, senior fellow and preacher "of God's Gift College in Dulwich did in y^e publique Hall at dinner "speake these scandalous words of y^e most reverend Father in God, "y^e L^d Archbishopp of Yorke, his grace, 'that he was the most "devilishest plotter of villainy in the world: O hee would make a "brave pope!'"

After which there is a memorandum signed by Thomas Alleyn, the Warden, and one John Alleyn (who was probably the son of Matthias Alleyn, the Master, and who himself subsequently became Warden and Master), stating that Mr. Mace called John Alleyn "a base regrating "rascall, gave him the lye and challenged him to fight."

Mr. Mace, on the 11th July 1636, obtained leave of non-residence from the Archbishop in order to serve as chaplain on board the pinnace called the *Greyhound* on condition of his finding a substitute, which he did in the person of Mr. John Sheppard, curate of Charlton, Kent, whose licence to preach is stated on a fly-leaf of the Register book, to be dated 24th

* Sir Thomas Grymes was J.P. and Deputy-Lieutenant of Surrey, and M.P. for Haselmere, Surrey, 1620-21, and for the county in 1623-24.

December 1632, and who had previously preached in the chapel on the 26th April 1635.

"In this year 1635 the right of the churchwardens to attend the audits as assistants seems to have been called in question. The Tanner MSS. contain a complaint by the churchwardens of St. Botolph's that the Fellows "opposed the assistants when they went down to the audit on the "4th Sept^r. 1635 and denied their rights even to the statutable charge of "5^s. a peece for horse hire and their dinner." Moreover, they state that the Fellows "keep every one a severall horse at the colledge charge," and they add, "if the fellows should have their wills who only are for their "particular ends it may in time be the overthrow of the colledge, or at "least the poor of these parishes for whom the colledge was specially "founded be utterly defrauded and wronged."

The opinions of counsel, John Lightfoot and Edward Littleton, were taken in the matter. These documents no doubt form part of the proceedings in the visitation of Archbishop Laud, mentioned above. The question was settled in favour of the churchwardens by the following letter :—

Salutem in Xpo

Whereas there hath been a difference betweene your colledge on the one part and the Churchwardens of three severall parishes viz S^t Botolph without Bishopsgate London S^t Saviour in Southwark and S^t Giles without Cripplegate London of the other part concerning their being assistants att yo^r severall auditts which difference came to the knowledge of my Lord Archbishop of Canterbury by a petition delivered vnto his grace by the churchwardens aforesaid: it pleased his Grace to refer the consideration of the whole busines unto S^t Henry Marten and myselfe. You cannott I suppose forgett wee heard the whole cause in the presence of both partyes, perusing your statutes provided in that behalfe by yo^r ffounder, and well weighing the allegations and reasons propounded on both sides. I must now lett you know that wee have certified my Lord's Grace that the right is on the Churchwarden's side, and that they ought to come as assistants att yo^r severall auditts there to performe that duty which your ffounder hath laid upon them. These are therefore to lett you know that it is the pleasure of my Lord Archbishop that you should admitt them for ever hereafter as Assistants unto you att the severall tymes aforesaid. And because there may be noe difference thereafter about the same matter, he requireth that this letter conteyning his Graces decision in this business be registered in the Register book of y^e Colledg. Thus not doubting of your ready performance hereof. I bid you very hartily farewell and am

Yo^r very loving freind

NA. BRENT

Doctors Commons

ffbruary 27. 1635/6

To my very loving freinds the Master Warden

& ffellowes of Gods guift Colledg in Dulw^{ch} these be dd.

In September 1636 the usual audit was omitted "in regard of the visitacon of the plague and the dangerous time." It appears that the College had now come to an arrangement with the Parish of St. Saviour's, Southwark, similar to that made with the Parish of St. Botolph's, Bishopsgate, for at the audit held on the 4th March 1636/7 it was stated that there was owing by the College to the Parish of St. Saviour's, "for their Alms-houses appointed by the founder, or to be disposed of for their poor," £120. This debt was gradually paid off, the last payment being made in September 1639.

On the 5th March 1637/8 a lease was granted to Sir John Lenthall, a relative of the Speaker of the Long Parliament, with an agreement for renewal at the same rent. This was in contravention of the statutes, which expressly ordained that no lease should be granted for a longer period than 21 years, and that at the best rent without fine (Stat. 101).

The consideration for this departure from the usual and legal course is expressed to be that Sir John Lenthall was "pleased to give a siluer bowle " to the said Colledge."

The following is the order made by the Court :—

5 March 1637

At this court a lease is graunted to S^r John Lenthall of S^t George his pish in Southwark K^e of the messuage lands &c formerly graunted by Indenture from this Colledge to Lawrence Brinley citizen and habb: of London bearing date the 4th Sept 1633, W^{ch} lease formerly graunted was for 21 yeares comencing from Michas next after the sd date and w^{ch} was assigned to the said S^r John Lenthall and this now intended lease is to be renewed in S^r John Lenthall's name for 21 yeares from Michas now last. And a covenant for 17 yeares more pcell of 21 yeares menconed in the old lease after the expiracon of the first 21 yeares graunted by the sd lease to the s^d Lawrence Brinley. And this new lease to S^r John Lenthall to be under the same rent covenants and condicions in ewy respect as the former was to the said M^r Brinley except only the 20^s for alienacon and 4 years abated out of the 21 yeares to be menconed in the covenant.

In consideracon that the said S^r John is pleased to give a siluer bowle to the said Colledge And that at the sealing of this new intended lease, he the said S^r John surrender the old lease graunted as aforesaid to the said M^r Brinley.

The affairs of the College were about this time and subsequently seriously embarrassed by the failure of the tenants of the Fortune Play-house to pay their rents.

The original "Fortune" had been purchased by Edward Alleyn in or about the year 1610, and was by him assigned and granted to the College by his deed of grant of lands, dated 24th April 1620, with the reservation of its use to him during his life, and with power reserved to him to grant leases for any term.

This building was burnt down on the 9th December 1621, as recorded in Alleyn's diary, but it was at once rebuilt, mainly by funds contributed by various persons, to whom, in consideration of the amounts paid, Alleyn granted leases in some cases of twelfth parts, and in others of twenty-fourth parts, all the leases being for about 50 years, at a rent of £10. 13s. 10d. per annum for a twelfth, and £5. 6s. 11d. for a twenty-fourth part.

These leases were, in accordance with the reservation in the deed of grant, signed by Edward Alleyn; but either through inadvertence or through ignorance of the effect of his grant, Alleyn made the rents payable to himself and his heirs, instead of to himself and to Dulwich College after his death as he should have done. This seems to have caused some difficulty as early as 1632, for the Dulwich College papers contain an "acquittance from William Gore to Matthias Alleyn Master of Dulwich College for 11^s. for his pains in perusing a license in mortmain," whereby it appeared that Edward Alleyn "was in his lief tyme seized of a messuage called the Fortune," and that he "disposed of the same to charitable vses." 8th November 1632 (MSS. i. 113). The tenants, however, paid their rents until Christmas 1635, when "the kinge did forbid Theaters in and about London for to hinder concourse of people" (MSS. i. 115). The leases forbidding the use of the building for any purpose other than the acting of stage plays, the lessees could make no profits, and so ceased to pay rent, the following certificate being given at the audit on the 4th September 1637:—

At a court of Assistantes held at Goddes guifte Colledge in Dulwich, the daie and yeare aforesaid, it appeared that the Tenautes of the Fortune betweene Whitecrosse street and Golding Lane in the parish of S^t Giles, Creplegate, London, are in arrere and behind in rent at this present the summe of 132^{li}. 12^s. 11^d. And there wilbe a quarters rent more at Michas next which is doubted wilbe also unpaid, amounting to 32^{li}. 1^s. 4^d. which will make in toto due at Michas 1637 164^{li}. 14^s. 3^d. And in respect the rentes come not in as aforesaid, the said Colledge is compelled to take moneys up at interest to supplie their wantes, and relief of the poore of the said Colledge.

The College brought many suits against the tenants, who at first contended that according to their leases the rents were payable to the heirs of Edward Alleyn and not to the College. This plea was speedily overruled by the Court of Chancery, and in some cases the rents were paid for a short time, but the rigid and utter suppression of plays by the Long Parliament in 1643 ruined most of the tenants; and though every means of exacting payment was tried, the College never did receive any further rent: so, after allowing arrears to accumulate to £974. 5s. 8d. in 1649, possession



Dulwich College
from the Garden looking North

was taken of the premises, of which, however, no use was made until 1661, when, the buildings being in a ruinous condition, an order was passed for the sale of the materials for £75, and the site was let on a building lease. It would appear, however, that the front was still standing in 1811.*

On the 29th July 1638 the steeple of the College fell down, and the buildings generally being much out of repair, the financial position of the Corporation became very serious. On the 4th September following, the College owed the Warden £13. 18s. 5d., and its regular income was diminished by £128. 5s. 7d., the rent of the playhouse. There was, moreover, due to St. Saviour's Parish on the almshouse account £80, and to Mr. Crowther £100, and the College had recently borrowed £50 of Charles Alleyn, and £40 of William Sewer, out of which sums £57. 14s. 5d. had already been spent towards the repair of the buildings.

In these circumstances the Archbishop resolved upon strong measures, and on the 4th September 1638 the Society was dissolved for six months, beginning on the 10th October 1638, by the following instrument :—

4^o SEPTEMBRIS ANNO DMI 1638

Upon which daie Thomas Rives, Doctor of Lawes and his Mat^s Advocate came unto the Colledge of Dullw^{ch} commonly called Godds-guift Colledge, to assemble all the members there of men women and children in the Chappell there; w^{ch} done, the said M^r D^r Rives there declared that in regard soe great a calamitie was befallen the said colledge by the fall of the steeple there and that upon due exa^mina^{ti}on there appeared noe possibilitie of repairing the said ruine and decay But by dissolving of the Company of all sorts for a time, to the end that the revenewes of the said Colledge during that time may be converted to the repairing thereof.

Therefore the said M^r D^r Rives in the name and by the authoritie of the most reverend ffather in God William by Divine providence Lo Archbishoppe of Cant his grace visitor of the said Colledge declared that the said Colledge should for the present be dissolved for the space of sixe moneths during w^{ch} time noe pencons or other allowances from the said Colledge are to be paid to any member thereof, saving only the sume of Twoe shillings ster a piece, w^{ch} his Graces pleasure is shalbe weekly paid to the poore men women and children during the said sixe monethes time. And it shalbee free for the ffellowes of all sorts to keepe their lodgings therein during the said time, if they shall thinck fitt to continue there, wthout being further chargeable unto the said colledge. And the churchwardens of the severall parishes viz^t of S^t Saviours in Southwark, S^t Buttolphes wthout Bishoppsgate London, & S^t Giles without Crepplegate London, were in the name of his Grace earnestly praied to take care for the poore w^{ch} came from their severall pishes. That they maie bee carefully provided for, with fitting meate drinck and lodging in the meane time, and thereupon the said M^r Doctor Rives in the name and by the authoritie of the sd most reverend the Lo Arch B^p of Cant his Grace visitor of the said Colledge, did dissolve the said Colledge and societie aforesaid, for the Terme of

* *Wilkinson's Londina Illustrata*, vol. ii. p. 141, where a view of it, as then existing, is given.

sixe moneths to beginne from the Tenth daie of October nexte ensueing wth terme ended, It is ordered that every member of the said Colledge shall come and reenter into his place againe and repoesse all benefitts and profitts as formerly they did. And the Master and Warden of the said Colledge are hereby required in the meane time to use their best diligence to see the said worke repaired, and shall looke to the affaires of the said Colledge, and be allowed convenient fiering and one servant for necessarie occasions at the chardge of the colledge.

Which said order being soe read and published in the chappell of the said colledge, all the members thereof Master, Warden and the rest, did yeild and give their ioynt & full consent thereunto. In witnes whereof I George Brome clarke of the said colledge, being required by M^r Doctor Rives wth consent of the master warden and the rest of the societie & assistants there present, did make this Instrument & am to enter it into the Register booke of the said colledge.

At Croydon. This order was seene
pused and allowed by his Grace
the 7th daie of this instant Septemb. 1638
MATTHIAS ALLEYN

THO: RIVES
GEO: BROME S^r. clarke of the
said colledge

The College being thus dissolved, no audit was held in March 1638/9, but on the 30th May 1639 the Warden presented his accounts; he had disbursed £79. 13s. 11d. in payments to the old people and children, in accordance with the Archbishop's order, from the 26th of October to the 23rd of February, and he gave an account of the charges about the building and repairing of the steeple of the chapel and other parts of the College which had fallen down, amounting to £247. 11s. 2d., and showed himself creditor of the College in £131. 1s. 8½d. There was also due to St. Saviour's £80, to Mr. Crowther £100, to Charles Allen £50, and there were arrears (apparently not including the Fortune rents) of £107. 8s. 8½d.

At this audit Mr. Simon Mace, who had had leave of absence in 1636, but who had returned in September 1637, as he signed the certificate as to the rents due by the Fortune tenants on the 4th of that month, was finally expelled by the following order:—

A Court of Assistants held at Godd's Guift Colledge the 30th daie of Maie 1639, by licence graunted from the Lords Grace of Cant visitor of the said colledge the 27th of Aprill last past.

Forasmuch as M^r Mathias Alleyn, M^r of Godd's guift Colledge aforesaid lately exhibited his peticon to the Lord's Grace of Cant against M^r Simon Mace ffellow of the said Colledge to be relieved and righted for severall wrongs done against him the said M^r and the statutes of the Colledge by the said M^r Mace. His Grace was pleased to giue the said Master leave for slanderous wordes and other abuses to take his remedie by course of law ag^t him in his place as master of the said colledge & other offences comitted by the said M^r Mace, in breaking the statutes of the colledge and abusing the government thereof contrary to his oath. Wee the assistants have bene sworne to preserue and maintaine the peace and welfare

of the said colledge, as Trustees appointed by the ordinances and statutes of the founder.

And according to his Graces reference to us directed the 4th and 27th of Aprill last, wee have viewed and exafed the accompts and other businesses of the said Colledge, and doe signifie under o^r hands as followeth touching M^r Mace in p^ticular.

That the said M^r Simon Mace hath bene a disorderly and turbulent pson since hee came into his said place, who hath often and wilfully transgressed the statutes of the colledge and bene an Agent of much evill and given bad example of living unpeaceably wth the master warden and ffellows contrary to his oath w^{ch} hee tooke at his admittance into the said colledge, w^{ch} was to this & the like effect viz^t To keepe and maintaine the statutes of the Colledge & to bee obedient to the master and warden in all things lawfull for the good and wellfare of the said Colledge, nor doe any thing or things act or acts to the derogation disturbance hinderance or damage of the said colledge.

Notwithstanding his oath hee hath sundry times abused the master & warden and fellowes wth very uncivile Tearmes, storming and contemning civile government appointed by statute, and in steed of keeping the statute and yeilding obedience according to his oath, hee hath quarrelled wth the said master and affronted him in his place and resisted his authoritie graunted by statute, and hath told the M^r to his face that hee would have as much power & authoritie in the said Colledge, as the said M^r should haue; and called the said Master hypocrite and Cousoner; and further said that the master and warden did agree together to cousen the colledge wth many other reproachfull and clamorous wordes w^{ch} hath appeared to us at this court by affidavit upon record in Chancery made by Henry Harris and Edmond Kilby sworne 1^o Decembris 1637 before S^r Edward Salter K^t one of the masters of Chancery.

And at other times the said M^r Mace hath in the presence of the Servants of the Colledge railed upon the said Master calling him hipocriticall slaue, villifying his pson and wishing that the said M^r & Warden were both of them hanged upon the toppes of the steeple, which was verified to us at this Court by Abraham Man & others.

ffurther it appeares to us at this Court that the said M^r Mace hath bene a great Master of the meat drinck & provision of the said colledge, and hath presumed to kepe his horse at the Colledge charge both in stable and at grasse wthout any warrant of statute And the said M^r Mace being put into the Colledge by the Lords Grace of Cant (as visitor of the said Colledge) came to the M^r & Warden in his Grace's name and told them that his Grace had allowed him an augmentacon of his pencon, and also all such arrerage as should have accrewed p. rata to M^r Fletcher M^r Maces next predecessor, w^{ch} moneys unduly had & receaved by M^r Mace doe amount to 15^{li} 10^s w^{ch} appeares to us by his Graces reference was never allowed by his Grace as also by report of the M^r from his Grace himself. And it appeares to us likewise by his Grace's reference that the said moneys and all other wrongs done to the Colledge by any pson that haue abused themselves or the Colledge full restitucon should be made according to justice and the statutes of the Colledge.

The said M^r Mace being found to have done & contrived all the matters aforesaid contrary to his oath & the statutes of the Colledge wilfully breaking & transgressing the same dispising & contemning civile government in his place and also abusing the Lords Grace of Cant as above is declared by takeing from the Colledge the said sume of 15^{li} 10^s unduly as aforesaid This Court doth order that the said M^r Mace shall repaie the said sume of 15^{li} 10^s vnto the warden of the said Colledge for the use of the said coll: wthin fortie daies now next ensewing. And we conceive that the said M^r

Mace is not worthie of his fellowship in the said Colledge. And therefore wth full consent have expelled the said M^r Simon Mace out of the said College for ever & made him for ever vncapable to haue or enioy any place or office there, or receave any benefitt or profit from thence according to the statutes & ordinances made in that behalf And wee consent that the college shall make choice of two sufficient men to draw lotts for the said place according to statute.

RICH: WRIGHT
W^m MADON
NICH. KING
THO CHESTON
W^m HART
HEN. COLLETT
EDW. CADWELL
RICH. WIGGINGTON
JOHN HUMFREY

MATHIAS ALLEYN M^r
THO. ALLEYN warden
CADWALADER ROBERTS
WILLIAM HOLMES

Witnes. GEO. BROME Clarke of the said Colledge.

At this audit, also, Mr. Nicholas Hunt, who had purchased a lease of Dulwich Court Farm, of which about ten years were unexpired, applied for a renewal, and offered to give "as a free guift" £40 towards the repairs of the College. The Archbishop was consulted, and with his approval the money was received on the 4th September 1639, and at once handed to the churchwardens of St. Saviour's, thus extinguishing the debt to that parish.

It soon appears, however, that Mr. Hunt expected that a covenant should be inserted in his lease, for a renewal for twenty-one years at the expiration of ten years, or, in fact, that he should receive a lease for thirty-one years. Thereupon the College petitioned the Archbishop as follows:—

To the most reverend ffather in God William Lord Archbishoppe of Cant his Grace,
Primat of all England & Metropolitan visitor of Gods Guift Colledge in
Dulwich

The humble peticon of the master warden ffellowes &c of the said Colledge
Shewing :

That one M^r Nicholas Hunt lately bought a lease of one James Nelham of a farme in Dulwich, there being about 9 or 10 yeares to come in the said lease for wth ffarme there is paid to y^e College 58^{li}. 1^s. rent p. ann:

The said M^r Hunt was desirous to have his lease renewed for 21 yeares, and was willing to give the Colledge 40^{li} as a free guift towards the repairing and building such harmes wth the College had susteyned by the late fall of the steeple

The ffounder by statute hath appointed that noe lease shall be graunted for any longer terme then 21 yeares wth a valuable rent w^{thout} any fine to be taken

Your Pet^{rs} were doubtfull whether they might safely receave the said 40^{li}, fearing that it might be conceaved to be taken in the nature of a fine

Whereupon yo^r Pets acquainted yo^r Grace wth the businesse and did humbly craue yo^r Graces direccons therein: and yo^r Grace was pleased to graunt yo^r appbacon to

take the 40^{li} for the benefitt of the whole Colledge towardses the recovering of their great losses w^{ch} money they have accordingly receaved & imployed for the use of the Colledge.

The howsing of the said farme being ruinous by the decay of the Tenant, the said M^r Hunt is willing to bestowe a good sune of money in new building the premisses, if he might have a longer terme viz^t that the colledge would give their covenant, that at thend of Tenne yeares to renewe his lease for 21 yeares more if such building shalbe bestowed upon the premisses, and also paying the yearely rent of 60^{li} p ann. to the Colledge, w^{ch} is some increase of rent.

Yo^r Pet^s had yo^r Graces appbacon for taking the 40^{li} as a free benevolence for the good of the wholl Colledge: they doe now likewise humbly craue yo^r Graces favourable direcon for the renewing the said lease at thend of tenn yeares for 21 yeares, if such building and bettering of the premisses shalbe pformed as abovesaid. All w^{ch} yo^r Pet^{rs} doe humbly leaue to yo^r Graces grave wisdome & judgm^t. wth their humble submission. And they shall pray for your Graces happines.

The audit book further records—

Upon sight of this petition, his Grace was pleased to have the opinion of his Councell, who signified to his Grace in these words, viz^t :—

Maie it please yo^r Grace. According to yo^r Graces reference I have considered of the legalitie of the lease desired by M^r Hunt and I conceave it is not against the statutes of the Colledge to make such a lease nor preiudiciall to make such a covenant to renew the lease if M^r Hunt wilbe satisfied therewth, but whether the Colledge shalbe bound by that Covenant is not soe cleere. All w^{ch} I humbly submit to yo^r Grace.

HE. BRIDGEMAN.

His Grace was pleased upon this opinion of Counsell to answere the said Peticon as followeth, viz

May 20. 1640. If all pties be content, and the busines here pposed maie legally and statutably bee done, I haue nothing to say against it

W. CANT.

This was sufficient for the College, and apparently sufficient also for Mr. Hunt, for on the 15th April 1640 the Master and Warden addressed the following letter to their solicitor, Mr. George Brome (MSS. vi. 8) :—

M^r Brome, wee give our consente that you shall put into M^r Nicholas Hunt's lease a covenant to this purpose, viz^t that if the said Nicholas Hunt his executors or assignes shall within fower yeares after the beginning of the said lease bestowe a hundred marks at the least in new building the dwelling house and the Barne, and shall make the same appear to the Master, Warden, and ffellowes that at the end of Tenn yeares, the Master, Warden and ffellowes, Brothers, Sisters and Schollers doth covenant for them and their successors of the said college to renew his lease for one and twenty yeares at the yeareley rent of sixty pounds fower couple of capons and the dayes work and such other covenants and reservations as in the said lease is expressed.

Godds Guift Colledge
the 15 of April 1640.

MATTHIAS ALLEYN
THOMAS ALLEYN.

The College affairs seem to have mended during the last few years, for at the audit on the 4th March 1640/1, the Warden was creditor for £22. 17s. 9½d. only, and the sole liability was £40 to Mr. Crowther; and by the next audit a sale of wood from King's coppice enabled them to pay this debt, and to place a balance in the Warden's hands of £45. 1s. 5½d.

On the 9th April 1642, Matthias Alleyn, the Master, died, and Thomas Alleyn, the Warden, who must have been an eminently capable man, and who had undoubtedly brought the College safely through great difficulties, succeeded to the Mastership.

CHAPTER V.

THE HISTORY OF DULWICH COLLEGE, 1642-1669.

THE Wardenship being vacant by the accession of Thomas Alleyn to the Master's office, an election was held on the 16th May 1642, when Raph* Alleyn of St. Clement's Dane, a surgeon, and Elias Alleyn, a mathematical instrument maker, of the same parish, drew lots, and the former was successful.

The evidences existing as to the proceedings at this election are somewhat confused. The Dulwich MSS. (vol. vi., No. 11) contain a paper in Raph Alleyn's handwriting, giving the names, Elias Alleyn, Raph Alleyn, Henry Alleyn, and Peter Alleyn, and adding, "These were my competitors" "Munday 16 May 1642, when I drew lot with Elias Alleyn."

The record of the election in the audit book is as follows:—

Memorand: That M^r Mathias Alleyn, master of this Colledge departed this life the 9th day of Aprill 1642, and M^r Thomas Alleyn the warden was sworne master in his roome according to the statutes, and one Elias Alleyn of the pish of S^t Clements wthout Temple barre a mathematicall instrument maker, and Raph Alleyn of the same parish a surgeon drew lotts for the wardens place, and the lott fell upon Raph Alleyn whoe was according admitted the 16th May 1642, there being also a third pson that stood to be elected one Edward Alleyn that had formerly been a servant to the founder.

It is clear that this entry is incomplete as a record of the proceedings, for it ignores Henry and Peter as candidates, and makes no mention of the fact that the election had been adjourned. The Master had died on Saturday the 9th April, and the election should have been held on the Monday fortnight following, which was the 25th April, whereas Raph Alleyn was elected on the 16th May.

Some explanation is afforded by a petition presented by Elias Alleyn to the House of Lords, dated 13th May 1642 (*Lords Journals*, v. 63), in which he states that at the election (held probably on the 25th April) Edward Alleyn claimed to be elected without lot, alleging that he was of kin to the Founder, the election being adjourned that he might produce proofs of his relationship. This adjournment, Elias Alleyn maintains, was

* Raph. So spelt by himself and in all documents.

illegal, and the subsequent proceedings vitiated by it. He therefore prays the House of Lords to declare that the nomination had lapsed to the Visitor, the Archbishop of Canterbury, and as he was under suspension at the time, to the House of Lords as his representative, and further prays the House to appoint him, he being aged, in preference to his competitor, who is young and a soldier.

The claim of this Edward Alleyn* to be of Founder's kin was not admitted, but he seems to have prosecuted it further, for among the additional MSS. at Dulwich College is a "Copy of writ directed to the Master &c of Dulwich College to swear Edward Alleyn into the place of warden of the same college." In this the members of the College are called upon to show cause why they refused to elect Edward Alleyn as of Founder's kin; it also contains their answer, which is to the effect that the kinship was not proved. There is also at Dulwich (MSS. vi. 127) an affidavit, dated 6th June 1642, of Edward Allen, son of Thomas Allen, cousin-german of the Founder, denying the validity of the claim of this candidate to be of kin to the Founder, as great-grandson of John, his brother; John Allen, son of the last-named, having died without issue and unmarried.

However this may be, Raph Alleyn (who probably made the memorandum containing the names of his competitors, in consequence of the omissions in the audit book) continued to be Warden, and no further mention is made of Edward Alleyn; but as will be seen hereafter, Elias Alleyn played a not inconsiderable part in the subsequent history of the College.

One of the first acts of the new Master was to effect a compromise of the suits which had long been depending between the College and Sir Edmond Bowyer, the impropiator of the tithes of Camberwell Parish, respecting the tithes of the College woods and of the woodlands, which had been grubbed up and converted into tillage.

The uncle of this Sir Edmond Bowyer, who was also Sir Edmond, and who sat in the first Parliament of King James I. for the county of Surrey

* In Alleyn's diary, 27th January, is, "M'd this day I took a poor fatherless child Ed: Alleyn." This may possibly be the Edward Alleyn in question.

In the church of Macroom, Co. Cork, there is a tombstone bearing the arms of Browne quartered with those of Alleyn, with the following inscription:—"Here lyeth the body of the Reverend M^r Richard Browne B.D. who was Rector and Vicar of this Parish 45 yeares during which time he was allwayes Resident: on the 27th day January in the year of our Lord 1712, he chearfully resigned His Spirit to God who gave it in sure hope of a Resurrection to Eternal Life Being 69 yeares of Age. He was married to Mary daughter of Collonelle Edward Alleyne 43 yeares by whom he had 11 sons and 9 daughters."

The Colonel Edward Alleyne mentioned therein is believed to have been commander of the Fort of Kinsale. The tradition in the family of Browne (now represented by S^r George Garde Browne, Esquire, of Coolcower House, Macroom) is that through Colonel Alleyne they are of kin to Edward Alleyn, the Founder of Dulwich College; but the strong probability is that Colonel Edward Alleyne, commander at Kinsale, and the Edward Alleyn described in 1642 as "young and a soldier," are one and the same person.

(1603/4-1610/1), and in his third Parliament (1623-4) for the borough of Gatton, was possessed of the rectory and tithes of Camberwell; he was a friend of Edward Alleyn's, and is frequently mentioned in his diary. It appears that he had not claimed tithes for the woodlands purchased by Alleyn, until a piece of land called "the Cokers," heretofore "coppice woods," was "converted into earable and tillage," whereupon he demanded tithes of its produce. The claim was not admitted by Alleyn, but it was agreed between them that the matter should be referred to "Mingay and Weston," their counsel, and the then Attorney-General; Sir Edmond Bowyer receiving the tithes until the award was made, but being accountable for them to Alleyn. This agreement was dated 29th August 1626 (Muniments, 592, 593). Before any award was made, both Alleyn and Sir Edmond died, the former on the 25th November 1626, and the latter in 1627; the tithes becoming the property of the nephew and heir of Sir Edmond Bowyer, who was then a minor, and was made a ward of the king.

The committee of the ward, Sir Sackville Crowe, Bart., finding that the elder Sir Edmond had received the tithes of the lands in question, instituted a suit in the Court of Wards in 1627, and obtained an order that they should be paid pending a settlement by action at law, and various suits in Chancery and at Common Law resulted. Sir Edmond came of age in October 1639, but gave the College further trouble by declining to take up his livery, and so continuing under the protection of the Court of Wards. After invoking and obtaining the assistance of Archbishop Laud in the matter, and after a reference to Sir John Lambe, Thomas Rives D.C.L., John Stone Serjeant-at-Law, and Anthony Lowe, who recommended a compromise, which was utterly refused by Matthias Alleyn, the case was ripe for trial, and would have been heard on the 12th May 1642 had not Matthias Alleyn died on the 9th April. He appears to have been the only obstacle to a compromise, for the College at once and during the vacancy of the Wardenship, entered into the following agreement on the 9th May 1642, whereby, as will be seen, Sir Edmond Bowyer ceded all his rights in consideration of a payment from the College of £5 per annum.

The articles of agreement are as follows (MSS. vi. 10):—

Articles of agreement Indented made the ninth day of May Anno Dom. 1642. Between S^r Edmond Bowyer of Cammerwell in the countye of Surrey Knight on the one pte and the master, warden, fellows, Brethren sisters and scholars of God's Guift Colledge in Dullw^{ch} in the said countye on the other parte.

Whereas there hath heretofore been a suit in the high court of chancery by the said Master Warden ffellowes Brethren Sisters and Scholars plaintiffs against the said S^r Edmond Bowyer touching Tithes of certain lands pcell of the possessions of the sometimes Abbey of Bermondsey (the same lands lyeing in Dullw^{ch} aforesaid) namely the woods conteyning about 250 acres more or lesse and the Co^mon there conteyning

by estimaçon 300 acres or thereabouts, lands conteyning about 20 acres belonging to or occupied with Hall Place soe usually called or known by that name and now in the possession of Arthur Kawkwell, lands called or knowne by the name of Blackgill conteyning about ten acres now in the possession of Charles Cox Esquir^e his Assigne or Assignes, lands called or knowne by the name of Goudies conteyning about 24 acres, lands called or knowne by the name of ffeerings conteyning about 24 acres, lands called or knowne by the name of Porkamans conteyning about 16 acres, lands called or knowne by the name of Cottons in the severall possessions of severall persons and conteyning about 44 acres, lands called or knowne by the name of Hamons coppice in y^e possession or occupation of Hugh Coxe conteyning about eight acres, lands in the possession of Thomas Collins conteyning about 14 acres heretofore grubbed and pcell of the lands called Blanchdownes. And whereas upon hearing the said cause in Chancery the 26th of January 14th Caroli a tryall at Law was ordered to be had for determining the right of the Tithes with other things in the said order menconed Now the said S^r Edmond and the said Master, Warden, ffellowes, brethren, sisters and scholars have agreed as followes. ffirst that the said Corporaçon and their successors shall allwayes hereafter enjoy all tithes as well woods as corne any ways arising, growing or coming or hereafter to arise grow or come in or out of the said specified land, without bye, lett, disturbance or molestaçon of the said S^r Edmond his heires or Assignes. And that the said Colledge shall alwayes yearly and every yeare thereafter pay for the same Tithes unto the said S^r Edmond his heires and Assignes att his now dwelling house scituat in Camerwell aforesaid the sume of ffive pounds halfe yearly upon the feast dayes of S^t Michael the Archangel and the Annunçaçon of our blessed Lady S^t Mary y^e Virgin by equall porçons or w^hin 14 dayes next after either of the said ffests. And it is hereby agreed and provided, that in case the said S^r Edmond's heires or Assignes or any under him or them shall claime or any wayes by law question the said Colledge or any under them for the said Tithes, that then the said rent of ffive pounds to cease, and that these presents and orders lying herein conteyned shall not any ways be made use of to infeeble, impeare, or weaken the right or title of y^e said Colledge to the said Tithes. And it is also agreed, that in case failer or default shall happen to be of paym^t of the said ffive pounds p. ann: at the place, time, and in such manner as aforesaid, then the said S^r Edmond his heires and Assignes shall and may have free liberty by triall at Law or otherwise to proferate his right or Title to the said Tithes, these presents or any thing herein conteyned to the contrary notwithstanding, and this agreement not to be made use of to impeach or weaken the right or title of the said S^r Edmond in and to the said Tithes. And the said S^r Edmond under the provision aforesaid shall be discharged of the Ninety three pounds in the said order of hearing menconed and the said Colledge under the said provision shall be in like manner discharged of and from the arrears of the said Tithes in the said order mençoned. And all suites already comēced betweene the said pties touching the premisses shall henceforth cease. In witnesse whereof to one pte of these presents the said S^r Edmond Bowyer hath put his hand and seale and to the other pte thereof the said Master Warden ffellowes, Brethren, Sisters and Scholars have put their corporaçon seale of the said Colledge the day and yeare first above written Annoq^o. Dom. 1642.

EDMOND BOWYER.

It will be remembered that on the election of a Warden in 1631, Thomas Alleyn, the new Master, was elected without lot as being of the Founder's

kin, and that it was then mentioned "that there was none equal in blood" and condition with him, but only M^r John Alleyn, son of Mathias Alleyn " (the then Master) who was under age." This John Alleyn would have had an indisputable claim to election as Warden at the late vacancy, had he not been married, which he undoubtedly was, as the College Register records the burial of his son Matthias on the 2nd July 1642, and also that of his wife Lucia in 1669. He, however, seems to have made an arrangement with his kinsman Thomas, the Master, by which the latter was to resign in his favour.

The king's authority was procured, being in the following terms :—

CHARLES REX.

Trusty and welbeloued wee greete you well : Whereas we understand that Edward Alleyn esqui^r by letters patents bearing date the 21th day of June in the 17th yeare of the Reigne of our father King James of happy memory founded one Colledge in Dullwth in our county of Surrey consisting partly of a lay foundation, and in those Letters Patents reserved a power to himselfe to make statutes for the said Colledge that should not be contradictory to the said Letters Patents, one of which statutes is that the master and warden of the said Colledge shall be of his blood and surname for ever (if there be any to be found) but they to be single persons and unmarried which notwithstanding, he invested by those Letters patents and deed of foundation the first master and warden both married men, and soe it continued for many yeares past. And whereas wee are informed that Thomas Alleyn the now master of the said Colledge is willinge and desirous to resigne his place to our trusty and well beloved John Alleyn sonne of Mathias Alleyn our late master of the said Colledge. Wee being well assured of his loyalty and good affection to us, upon his humble suite have thought fitt to give way to the said Thomas Alleyn to resigne his said place. And wee doe hereby dispense with any locall statute of our sayd Colledge that may be any Impediment to y^e said John Alleyn to accept of the said Resignation, and accordingly require you to admitt the said John Alleyn into the mastership of our sayd Colledge immediately after the Resignation above mentioned. In case he be not incapable as being a layman, and noe man more capable of that name and kindred marriage excepted. Herein wee expect your ready compliance. And for soe doing this shall be your warrant. Given att ou^r court att Oxford 26th ffebruary 1643.

By his Maiesties Command

GEORGE DIGBYE.

To our Trusty &c
Warden & ffellows of God's guift
Colledge in Dulwich in Surrey.

In pursuance of this permission, Thomas Alleyn signed the following resignation on the 11th March 1643/4 :—

Know all men by these presents that I Thomas Alleyn now master of God's guift Colledge in Dullwich in y^e county of Surrey of y^e ffoundacon of Edward Alleyn Esquire lately deceased for certaine just causes & consideracons me thereunto

especiall moveing, being noe way compelled thereunto, nor by any sinister cause, or means circumvented or misled, but being desirous to be discharged from the great burthen, care and government of the said Colledge, doe fully, absolutely and freely resigne & give over my place and office as master of the said Colledge, and all my right, title, and interest therein, with all the priviledges, profitts, & preheminences unto me as master of the said Colledge heretofore belonging, or any wise appertaining unto John Alleyn of Dullwich in the county aforesaid gent: the next of kin and of the surname of the said ffounder deceased, and for my part doe leave the same place voyd in word and deed, and relinquish my title, possession and interest therein, totally and expressly by these presents, being authorized thereunto by his Ma^{ties} Letters under his privie signet for y^e same purpose. In witnesse whereof I have hereunto set my hand and seale the eleaventh day of March Anno Dmⁱ. 1643 juxta &c Annoque Regni Caroli dei grat. Anglice Scotice franc. et Hibern: Regis fidei defensoris decimo nono.

THOMAS ALLEYN.

Sealed and delivered in y^e presence of

THO: SPROT

NICHO: HUNT. Notori Publiq.

It is probable that Raph Alleyn, who had a vested interest in the Mastership, after the death of Thomas Alleyn, declined to allow of this resignation in favour of a much younger man, and that his opposition was successful, for John Alleyn was certainly not admitted, and left Dulwich to practise his profession as a surgeon at St. Margaret's near Rochester, where he was residing when he reappears in the College history in 1669.

The Fellows at the time of the death of the late Master, Matthias, were Francis Hooke, elected preacher 11th July 1639; William Jones, elected schoolmaster 4th October 1638; Cadwalader Roberts, elected usher 17th May 1639; and William Holmes, elected organist 31st December 1634.

The Civil War was at this time commencing, and Dr. Lysons records (vol. i. p. 193), though he does not state his authority, that some of the Fellows took service with the king's army. It is, however, certain that about this time all the Fellows left, and it may be inferred that they took up arms for the king, as they are styled "delinquents" by Parliament.* At the audit on the 4th March 1643/4 the following orders were made in respect of Mr. Cadwalader Roberts, the preacher:—

4 March 1643

Whereas M^r Cadwalader Roberts fellow of this Colledge about a yeare last past went upon some occasion into the country and hath ever since bene absent from his service in the said Colledge and schole there. And whereas upon the recomendacon

* There are at the College receipts dated 1646 for money paid for "disbanding y^e forces at New-berry 2/"; "Scotch Assessment 3/9"; for relief of Basing House, 3/; for Sir Thomas Fairfax, 10/; maintenance of offices, 2/3.

Mr. W. Percy Alleyne has in his possession a receipt for £200 from Charles II., dated "Antwerpe 1658." According to the tradition in his family, this money was lent by Dulwich College; but the official accounts mention nothing the least like this, nor indeed would the state of the College finances have justified such extravagance at that time.

of the visitor of the said Colledge M^r James Meade hath ever since the ffeast of the Annunciacon of the blessed Virgin Mary 1643 last past (being now almost a full yeare) bene accepted into the said Colledge (but not as fellow) to execute and pforme the dutie and service of the said M^r Roberts in his absence. And whereas the said M^r Meade hath carefully and diligently ever since his cominge to the said Colledge officiated his dutie as well in the Chappell of the said Colledge as also pformed the care & respect of a diligente Teacher of the Children in the Schole there. And whereas also the said M^r Meade hath not as yet had any allowance of Stipend out of the said Colledge but only his diett and one quarters stipend at Midsommer last. In respect of all which premisses it is now thought fitt by this court & soe ordered, That the said M^r Mead shall have the like allowance of stipend and diett from the said Colledge as the said M^r Roberts should have had if he had bene resident, to be accompted from the said ffeast of the Annunciacon to this time & soe from henceforth during his being in the said colledge & pforming his dutie there. And it is further ordered that the said M^r Meads acquittances for the said stipend shall from time to time be a sufficient discharge to the warden of the said Colledge against the said M^r Roberts for paying the said stipend unto the said M^r Meade untill another fellow be chosen in place of the said M^r Roberts.

THOMAS ALLEYN

RAPH ALLEYN

RICH: WRIGHT

HENRY [H S.] SMITH

^{his mark}

WILLIAM JONES

WILLIAM CLOTCH

THOMAS GODDARD.

It is further ordered that if M^r Cadwallader Roberts doe not appeare at the Colledge wthin twentie daies next ensewinge, that then he shalbe proceeded wthall according to the statutes of this colledge, and that a note in writing be sett upon his chamber doore wthin the Colledge signifying the contents of this order for that the Colledge doth not knowe to what other place to give any other notice.

William Holmes, the organist, left, as the Register shows, on the 17th July 1643, Francis Hooke on the 3rd May 1644, his resignation being inserted in the audit book with his signature, and William Jones on the 4th May 1644. James Mead was elected in lieu of Cadwalader Roberts on the 28th March 1643/4, and was thus from the 4th May 1644 the only Fellow.

The Long Parliament had, on the 31st December 1642, appointed a Committee "to consider of the fittest way for the Relief of such Godly "and well affected ministers as have been Plundered and likewise to "consider what malignant Persons have benefices here in and about this "Town, whose livings being sequestered, these may supply their cures and "receive their profits." Sir John Lenthall, M.P., a relative of the Speaker of the House of Commons, resided at Dulwich, or, at least, was a tenant of the College, and it was consequently not likely that the vacancies in the Fellowships would long escape the notice of this Committee.

Accordingly, on the 25th March 1644, the Master, Warden, and Fellows

were summoned by the Committee of Safety for the County of Surrey to appear before them at the Bear in Southwark, to give an account of the officers of the school, and were at the same time prohibited from making any new elections.

The following is a copy of the order :—

March 25. 1644. At the Committee for the safety of the County of Surrey. It is ordered that the M^r. warden and fellows of the Hospitall or Colledge of Dulwich appeare before this Committee on Friday next at the Beare in the borough of Southwarke, to give them an account concerning the Officers of the Scole and to pceed to noe new eleccion of any officers till further order from this Comittee.

On the 23rd May 1644 the following order appears :—

At the Committee of the House of Commons in Parliament concerning plundered ministers May 3. Anno Dom: 1644.

Whereas the places of the 4 fellowes of the Colledge of God's Guifte of Dulwich in the county of Surr. are become void by the delinquency of some & resignacon of others of y^e Fellowes of y^e said Colledge as by certificate from the Committee of Parliament for the safety of the County of Surr: appeth. It is this day ordered by the Co^rte of the howse of Co^mons in pliam^ent concerning Plundered Ministers, That John Crofts, M^r of Arts, a godly and orthodox divine shall supply the place of the two senior fellowes of y^e s^d Colledge and preach diligently in the Chappell of the said Colledge to the Society thereof and to the Inhabitants of the said towne. And that he shall have for his paines therein all roomes, stipends, ffes, rents, woods, avayles, priviledges and pfitts whatsoever belonging and of right accustomed to be paid to the s^d two senior followes till such tyme y^e y^e state of the s^d Colledge can be taken into further examinacon and consideracon. And that James Mead, Bachelor of Arts shall pforme y^e duty of y^e two other ffellowes, in teaching of Schole in y^e said Colledge and diligently instruct y^e children and schollers in y^e free schole there. And shall have for his paines therein all rooms, stipends, ffes, rents, woods, avayles, priviledges and pfitts whatsoever belonging and of right accustomed to be p^d to the s^d two fellowes untill further examinacon and consideracon as aforesaid. And y^e M^r & Warden of the s^d Colledge are required upon sight hereof to admitt the afores^d p^rsons into y^e s^d severall services & see y^e p^rmises p^rformed & this order duely executed as they will answere the contrary att there pills.

JOHN WHITE.*

The Register states that John Crofts was admitted preacher, and James Mead promoted to be schoolmaster, on the 1st June 1644; but the College seems to have demurred to paying them the pensions allotted by the statutes to the holders of these offices, and on the 23rd July the following order was made by the Committee :—

At the Committee of the howse of Co^mons in pliam^ent concerninge plundered Ministers July 23. An^o Dni. 1644.

It is this day ordered by the said Committee y^e y^e M^r & Warden of y^e colledge at

* Mr. John White, member for Southwark, was chairman of the Committee for Plundered Ministers.

Dulwich in y^e county of Surr: doe shew cause before the Co^mittee on the 26th day of this instant July at two of the Clock in y^e afternoone in the exchequer at Westm^r, why they should not pay unto M^r Mead scholem^r in y^e said Colledge & M^r Crofts preacher there by order of this Co^mtee the stipends ffees and p^rfits ordered them by this co^mittee & why they should not p^rmit them to enioy the benefitt of y^e s^d order whereof they are not to fail at their pills.

JOHN WHITE.

The Master and Warden duly attended on the 26th July, and an order was made in the following terms:—

July 26. 1644. At the Co^mittee of y^e howse of Co^mons concerning Plundered Ministers. Upon hearing the matters in difference, this day betweene the M^r and Warden of the colledge at Dulwich in the county of Surr: M^r Mead scholem^r in the s^d Colledge, and M^r Crofts Preacher there by order of this Co^mittee in the place and steed of two of the ffellowes of the s^d Colledge who have deserted & are sequestred from their s^d severall places, for their delinquency: It is this day ordered that the said M^r and Warden shall forthwth pay and deliver unto y^e s^d M^r Mead and M^r Crofts respectively the respective Duties, stipends, and ffees due & belonging to the said severall places & as well since y^e s^d sequestracon as from the tyme y^e y^e s^d delinquents have deserted their s^d colledge. And in case the said M^r and warden shall refuse to pay y^e same their s^d contempt shalbe transmitted to the Co^mte for exa^rfacon to the end y^e a Serjeant at Armes may take and keepe them in safe custody, till they shall have given the Co^mtee satisfaccon for their said contempt. And for the said M^r and Wardens better informacon and discharge of & from & concerning the s^d sequestracon, It is ordered that they shall have, if they will, a Copy of the order thereof.

JOHN WHITE.

The Master and Warden still hesitating, they were given in charge of the Serjeant at Arms by the following order:—

20 Sept. 1644. At the Co^mittee of y^e howse of Co^mons for examinacons.

It is this day ordered that y^e Serieant at Armes attending the howse of Comons or his deputy doe forthwth apphend & bring in safe custody before this Comittee sitting in the Inner Court of Wards att Westm^r the bodyes of Thomas Alleyn and Ralph Alleyn M^r and Warden of Dullage Colledge to answere to such matters as shalbe objected ag^t them. And all Justices of Peace, Sheriffes, Maiors, Bayliffes, Constables, and all other his Ma^{ties} officers and Subiects are hereby required to be ayding and assisting in execucon hereof.

To JOHN HUNT Esquire Serieant
at Arms or his Deputy.

MILES CORBETT.

At the audit held on the 4th September 1644 preceding, an order had been made, but signed by the Assistants only, "that M^r Crofts and M^r Mead shall have the full power of transacting of all colledge busines as formerly the fellowes whose places they supply have had, but only one voyce a peece." At this audit Crofts and Mead signed the Warden's accounts.

It seems evident that after this the Master and Warden paid the two Fellows, as the following order was made on the 10th October 1644 :—

At the Committee of the House of Commons for examinations.

Upon hearing of the Complaints against Thomas Allen and Ralph Allen the m^r and warden of Dullage Colledge and for that noe matter of crime hath been p^rved against them. It is ordered that they be forthwith discharged of their restraint and dismissed from further attendance on this Comittee. And as touching the rest of the Articles concerning their misgovernment in the Colledge, It is ordered that the comptes be left to their remedy at lawe.

MILES CORBETT.

At the audit on the 4th March 1644/5, it appears that the amount due to the College by the Warden was £33. 17s. 5½d., the arrears (including the Fortune Rents) were £458. 14s. 8d., and there was owing to Hen. Layton £10, to John Partridge £5, and also £14, "which was taken up on the " Colledge plate towards the paym^t of M^r Jones his money."

It may be conjectured that this pawning of the College plate was not so much due to the want of money as to motives of prudence, for although the College was in the meanwhile often possessed of sufficient funds to redeem it, it remained in pawn until the 1st May 1652.

On the 23rd June 1645, Mr. Crofts resigned, and on 2nd August the Committee for Plundered Ministers made the following order :—

At the Committee for plundered ministers August 2. An^o. Dni 1645.

Whereas John Crofts M^r of Arts was by order of this Committee of the 23th of May An^o. Dni 1644 noiated and appointed to supply the place of the two sen^r fellowes of the Colledge of God's Guifte at Dulwich in the pish of Camberwell and county of Surr. then being void, and the s^a M^r Crofts has sithence left the same: It is ordered that Stephen Streete a godly & orthodox divine shall supply the place of the s^a ffellowes to preach diligently in y^e Chappell of the s^a Colledge. And shall have for his paines therein all Roomes, stipends, ffees, rents, woods, avayles, priviledges and pfitts whatsoever of or belonginge & of right accustomed to be paid to the said senior fellowes till farther order shalbe taken in the p^rmisses. And all pson or psons whatsoever are required quietly to pmit the said M^r Streete to officiate as aforesaid & to have enioy receve & take to his owne use and benefitt the said rents, stipends, ffees, pfitts and p^rmisses as they will answere the contrary at their pills.

GILBERT MILLINGTON.

Mr. Street was accordingly admitted Fellow on the 2nd August ; and at the audit on the 4th September 1645, the six churchwardens signed the following confirmation of the order :—

4 Sept. 1645. Whereas M^r Stephen Streete by an order of Parliament bearing date the 2^o August 1645, is appointed as minister to officiate in this colledge. It is conceived meete by the assistants now p^rsent, that the said M^r Streete shalbe paid & allowed all such moneys due for one qter beginning the 24th of June last past for & in consideracon of his paines in the s^a Colledge for the most pte of the tyme before the

date of the aforesaid order. And they doe likewise allow & approve of the sd order & that it may be observed for time to come according to the intent & meaneing thereof.

There seems to have been some difference between the College and Mr. Mead, for at this audit the following order was made :—

Whereas M^r James Mead is appointed scholm^r in this colledge by order of Parliam^t (as is ptended) It is thought fitt by the assistants, whose names are subscribed that the said M^r Mead for future shall pduce & show the s^d order of Parliam^t to be allowed by the M^r and warden in being, before the paym^t of any moneys due to him for officiating in the said place.

It is difficult to see the motive of this order, for Mr. Mead was undoubtedly appointed by Parliament, but it produced the following resignation :—

Whereas by a late order of the comittee of plundered ministers bearing date the xxiiijth day of May anno Dni 1644 the place of Schoolm^r of the Colledge of Dulwich in the county of Surr: was conferred by the said Committee upon me James Mead of the said Colledge Batchelor in Arts. Now this witnesseth that I the said James Mead havinge an intencon otherwise to dispose of my selfe doe by these psents surrender & yield up unto the M^r & Warden of the said Colledge to the use of the said Corporacon the said place of Schoolm^r there & the said order & all benefitt whatsoever that I can may or doe claime thereby. Witnes my hand and seale this present 17th day of October 1645.

JAMES MEAD.

In the pnce of us

SAM JOHNSON

AND: BLACKWELL

ALEX. GREGORIE

On the 13th November Mr. Colby was appointed by the following order, and duly admitted ; the Register, however, by a clerical error, making the date of admission the 13th August, though it records Mr. Mead as leaving on the 18th October :—

At the Comittee for plundered Ministers

Novemb. 13. An^o Dñi 1645.

Whereas John Croftes M^r of Artes was by order of this Committee of the xxiiijth of May An^o Dni 1644, appointed to supply the place of the two senior ffellowes of the Colledge of Gods guift als Dulwich in the pish of Camberwell & County of Surr then being void John Mead M^r of Artes was then also nominated to pforme the duty of the twoe other fellowes in teaching of schoole in the said colledge & diligently instructing the children and schollers in the free schoole of the said colledge, and the said M^r Mead hath sithence relinquished his interest of & in the said place. It is ordered that the same shall from henceforth stand sequestered to the use of Edmond Colby M^r of Artes who is hereby required to supply the place of the said fellowes in y^e stead of the said M^r Mead in teaching of schoole in the said Colledge & diligently instructing y^e children and schollers in the said free schoole, and shall have for his paines

therein All roomes stipends fees rents wood awayles priviledges & profitts whatsoever belonging & of right accustomed to be paid unto the said two fellowes untill further order shalbe taken in the premises. And the said M^r & Warden of the said Colledge are required to admitt the aforesaid M^r Colby into the said places & service and see the premises pformed & this order duly executed accordingly.

GILBERT MILLINGTON.

At the audit held on the 4th September 1646 the following orders, forbidding the Fellows to keep horses at the College expense, and refusing to pay the two Fellows an allowance in money for double diet, were made and signed by the assistants only :—

4 Sept. 1646.

At this Court upon debate and view of the statutes of the Colledge whether the fellowes of the Colledge are allowed any horsmeat at the charge of the Colledge, the Assistants doe hereby order that (in regard there can be noe statute pduced that give such allowances) there be noe hay or other pvision for horse allowed at the Colledge charge to any ffellow of the Colledge or other pson or psons whatsoever that have done now doe or hereafter shall supply their places by any power or authoritie whatsoever.

4 Sept. 1646.

At a court of assistants held at God's guift Colledge in Dulwich by the M^r Warden & Assistants of the same upon view & consideracon of an order of y^e com^{tee} of Parliam^t for plundered Ministers bearing date y^e 23th day of May 1644 wherein the places of y^e 4 fellowes of the said Colledge are to be supplied by M^r John Croftes & M^r James Meade a minister & schoolmaster, & they to have for their paines therein all roomes stipends fees rents woods awayles priviledges & pfitts whatsoever belonging & of right accustomed to be paid to the said 4 fellowes They doe hereby declare that they doe not conceive that by the said order is intended y^e y^e sd M^r Croftes & M^r Mead or their successors should have an allowance in money for double dyett, in regard they now have & ever since the date of the said order have had their dyett in the said Colledge, & 10^{li} p ann a peece for double dyett w^{ch} allowance in money they humbly conceive hath bene paid & allowed hitherto to the wrong of the colledge, & doe hereby order the nonpaym^t of y^e said money for dyett untill the minde of the aforesaid comittee be further declared.

Upon this order being made, Street and Colby petitioned the Committee, the Master, Warden, and Assistants presenting the following counter petition :—

To the Hon^{ble} Comittee for Plundered Ministers.

The Humble petition of the M^r and warden of Dulwich College in the county of Surrey, sheweth

That it pleased this honor^{ble} Committee upon the 23th day of May An^d Dni 1644, to order and appoint M^r Crofts and M^r Mead to be minister and Schoollmaster of the said Colledge and they to have for their paines all Roomes, stipends, fees, rents and profitts formerly belonging to fower fellowes of the said Colledge.

Now may it please this hon^{ble} Committee that the said M^r Crofts and M^r Mead hath

demandd an allowance in money for double dyet by reason of the said 4 fellowes places as by an order made at their court of assistants 4 Sept. An^o. 1646 and hereto annexed doth appeare

Wherefore your pet^{rs} humbly pray your order concerning y^e allowance for double dyet. And if it may seeme good to this Hon^{ble} Committee that the allowance of double dyet may bee reserved to & for the use & benefitt of the Societie belonging to the said Colledge and the rather because great taxes are now levied thereupon. And they shall pray &c.

The Committee on the 18th December decided against the Fellows by the following order :—

Upon consideration had of y^e petiçon of the M^r. Warden and assistants of Dulwich Colledge in the county of Surr. this Com^{tee} sees noe cause why M^r Street & M^r Colbye to whome the said ffellowshipps are sequestered should have allowance for the dyett of the said 4 ffellowes but for themselves onely. And doe order the same accordingly unles they shall shew good cause to the contrary on the xxth day of January next.

HAR. GRIMSTON.

Upon the above decision of the Committee the inhabitants of the village of Dulwich petitioned on behalf of the fellows as follows :—

To the Hon^{ble} Committee of Parliament for Plundered Ministers.

The Humble Peticon of y^e Inhabitants of Dulwich in the county of Surrey: Sheweth. That your Petitioners having bene long destitute of an able minister and a painfull schoolmaster. It was ordered by this honorable Com^{tee} that M^r Streete and M^r Colby should officiate y^e same and receive for their paines such profitts and priviledges as their pdecessors enioyed which they have hitherto done accordingly, although at psent y^e M^r and Warden of y^e Colledge endeavor to deprive them of a third part of their livelyhood and deny them double dyett, to their great discouragement, the minister having left us destitute and y^e Scholm^r ready to remove for want of maintenance whoe hath done more good in his place than ever any man did, and who hath lost all his bookes by the King's ptie in Cornwall.

Yo^r Pet^{rs} therefore humbly pray y^e y^e Minister and Schoolm^r may enioy their accustomed maintenance and receive y^e same Incouragement w^{ch} others have done according to y^e former Orders of this Hon^{ble} Committee. And your Pet^{rs} shall ever pray, &c.

Robert Dawlman, Geo: Portman, Rich R. Perry, Thos Downer, Thos Hammond, John Badger, Mathew Sheppard, Phillip Collins, Nicholas Badger, John Barrett, John Redman, Thos Oxlye.

This petition was successful, and on the 2nd February 1646/7 the Committee reversed the former decree and made the following order :—

Whereas this Com^{tee} have setled a minister & a schoolm^r in the place and steed of the 4 fellowes of Dulwich Colledge in the Countie of Surr, & the pfitts belonging to the said fower fellowes. And whereas some question hath sithence arisen, whether this com^{tee} did by their former orders intend that the said Minister & Schoolm^r should have double Dyett or allowance for the dyett of twoe psons besides their owne Dyett

upon consideracon of the former orders of this Com^{tee} & of the statutes of the ffounder of the said Colledge in the case of Dyett. It is thought fitt & ordered upon hearing of both sides, that there shalbe allowance of the value of two mens dyetts to the said Minister & Schoolm^r over and besides the dyett that they themselves have from the said colledge. And for that it appeares by the Statute of the ffounder that xⁱⁱ a yeare a peece should be allowed for the dyett of the said ffellowes, It is ordered by consent of M^r Colby the psent schoolm^r. that the said xⁱⁱ a yeare shalbe allowed & still continued from time to time to the said Minister & Schoolm^r instead of the said Dyett, wth the M^r, Warden, & Assistants of the said Colledge are hereby required to paie accordinglie dureing the sequestracon, & the said profitts & revenues of the said fellowships are afterwards to goe according to the constitucons of the Colledge.

HAR. GRIMSTON.

Stephen Street, it would appear from the petition of the inhabitants, had left the College before the Committee came to this decision, but the record in the Register of his departure is dated 19th March 1646/7; Mr. Colby remaining the only fellow until 1649, the Master and Warden being "forced to hire severall ministers such as they could gett to preach in the "Chappell." On the 26th November 1649 the Committee for Plundered Ministers put in one John Skingle "to be minister of the said College and "to receave the profitts," though the appointment does not appear in the Register, or, except indirectly, in the audit books. Mr. Skingle, though never admitted a Fellow, signed the Warden's weekly accounts, and remained in the College until his death in 1658, as appears by a MS. in Dulwich College (MSS. vi. 21), which is "a true Inventorie of M^r Skingles goods "and bookes taken out of his chamber and studdye y^e 20 Sept. 1658." This inventory recites the titles of about 500 books, and proceeds with the following list of household goods, &c. :—

A pound of candles
2 Chamber pots 1 bason
1 Tanke 2 pair of bootes
2 pair of spurrs
3 leather chaires & 2 Stooles
3 Cloaks 1 Coates & an halfe
3 doublets & an halfe wth
1 paire of breeches
6 Quishings (Cushions)
2 Hat cases wth 2 hatte in y^m
2 pair of Sheetes
2 Shirts
5 Pillow beeves
3 Towells
A parcell of Old Linnen
1 Matt wth a bedd
boulster pillow pillow beeve
1 paire of Sheetes 2 blankets

1 Rugg, 4 Curtains & a Vallance
2 Quishins more
2 Trunkes
1 Warming Pan
1 paire of touns
1 ffire shovel
1 paire of fire yrons
1 paire of Shooes
1 Tin Candle sticke
4 faggotts
1 boote Jacke
1 paire of bellowes
Bed cords
2 Jake Botelle
A glass halfe full of tobacco with
8 tobacco pipes with 2 other little
glasses
A saddle & an old saddle cloth.

Then follows this receipt :—

Rec^d. the 21th day of October 1658 by us Richard Skingle and William Skingle executors of the last will & testament of our brother John Skingle decd. of Thomas Alleyn and Ralph Alleyn the M^r & Warden of God's Guift Colledge in Dulwich in the countie of Surr. all and singular the goods bookes apparrell & household stuff whatsoever menconed & expressed in this Inventory aforegoeing of all w^{ch} wee & either of us doe acquite & discharge the said M^r and Warden by these presents.

Witness our hands and seales the day & yeare above written
In the presence of us

WILLIAM CARTER
JOHN HARRISON

JOHN BRADFORD
WILL. JENKINS

WILL^m SKINGLE ☉
RICH SKINGLE ☉

At the audit on the 4th September 1650, John Brooke, a poor scholar from Cripplegate, was sent to Christ's College, Cambridge, and allowed £20 per annum, "besides his furnishing with necessaries at his first goeing thither if he shall not be allowed any maintenance from any other place or pson, and what shalbe soe allowed him elsewhere it is ordered shall be abated by the Colledge out of the said 20^{li} a yeare."

This was the first poor scholar sent to the University, but he does not appear to have proceeded to any degree.

In the year 1653, the College fined one Dawlman, a tenant, £5 for cutting down trees, an offence which they seem to have always punished subsequently, several instances occurring in later years.

At the audit on the 4th September 1655, Dorothy Jenks, a poor sister, was expelled for slandering Mr. Colby, the schoolmaster. The order is as follows :—

fforasmuch as Dorothy Jenks, one of the poore sisters of the said Colledge of the Parish of Saviours Southwark, hath bene a very disorderly and scandalous pson since her coming into y^e s^d Colledge, for w^{ch} misdemeanours shee hath bene sundry times admonished, reprov'd, & punished according to the statutes of the Colledge, Notwithstanding all w^{ch} shee doth still psist and continue in her s^d scandalous speeches & will not bee brought to any obedience of orderly and civill life, being guilty of these crimes following

"1. That about the later end of November 1654, the said Jenks did openly in the Kitchin of y^e s^d Colledge say & affirme that Alice Lambe one other of the poore sisters of y^e s^d Colledge was a private Whore to M^r Colby, the schoolmaster of y^e Colledge and that hee lay wth her night by night for a long time together and that hee sett two of y^e Boyes of y^e Colledge to watch whilst they were together in his chamber.

"2. That on Easter day last, in the morning the said Jenks did in the Courtyard of y^e Colledge before divers people, strangers & others, declare that the said Lambe had a child by the said M^r Colby and that shee had burned it.

"3. That at severall times when the said Jenks had soe falsely charged the said Lambe that M^r Colby was in her chamber, shee hath had her into her chamber & lighted her a candle & caused her to search in every corner for him, yet though shee could not choose but bee convinced of her folly, she would still continue in her rayling & scandalous speeches to that purpose. Although it hath many times appeared & been proved by good Testimony that at sundry of those times the s^d M^r Colby hath bene either at London, or some other place distant from home about his occasions And in pticular, on y^e 15th of January last in y^e psence of Coll. Hardwick, M^r Sherlock and Sergeant Parker, Shee being called into y^e plour of y^e s^d Colledge to heare what shee could say for her scandalous speeches, Shee was so far from being sorry for the same, that shee said she would maintaine what shee had spoken to bee true. And further said, that at that very instant of time M^r Colby was in y^e s^d Lambes chamber, when Serg^t Parker affirmed that y^e very same morning hee mett M^r Colby and spake wth him in Paul's Churchyard London. And on y^e 5th of June last, shee said before M^r Drury, one of the Churchwardens of her Parish, that all shee had said, as is before menconed, was every word true.

"That for confirmacon of all these scandalous & wicked speeches, she will frequently utter many horrid & detestable Oathes and curses, & will by no meanes be psuaded or deterred from the same.

"For all which high crimes and misdemeanours, Wee the assistants of the said College, whose names are under written, doe deeme her not fitt to live in a civill & orderly Society, and doe therefore expell the said Jenks from y^e s^d Colledge nevermore to receave any benefitt from the same, nor to bee capable of any place therein, according to y^e statutes & ordinances of y^e same.

THOMAS ALLEYN.
RALPH ALLEYN.

JOHN CHESSAUR
WILL: RIMMER
SAM^l WILKINS

JOHN ADAMS
HEN. BOOTHMAN
JOHN PACE."

A poor brother, Rich. Hoath, was also expelled on the 8th October 1656, but no particulars of his offence are on record.

The Master, Warden, and the Assistants had since the year 1644, when the Committee for Plundered Ministers first interfered with the appointments to the Fellowships, never ceased their endeavours to recover the right to elect the Fellows themselves. They were advised, and held, that no lease of the College lands would be valid, unless signed by the Master, Warden, and at least two regularly elected Fellows, and in fact they had granted no lease since 1644, and never allowed the Committee's Fellows to sign the audit books.

The following succinct account of all their proceedings in the matter was placed on record by them :—

The master warden and assistants of the Colledge of God's Guift in Dulwich in the County of Surrey have endeavoured for the settlement of the Colledge according to the ffoundacon as followeth

In the yeare of our Lord 1644, viz^t the 3^d of May the 4 ffellowes places were all voyd, and thereupon the Committee for the safety of the county summoned the M^r & Warden to appeare before them & not to proceed to any new eleccion of ffellowes till further order.

The 23th of May 1644 by order from the Committee for plundered ministers John Crofts Minister & James Mead Schoolm^r were put in to supply the places of y^e 4 ffellowes till further orders & to receive double pencons & allowance for double diet, the full profitts of y^e said 4 ffellowes places &c. JOHN WHITE Chairman of y^e s^d committee.

28 June 1644.—The M^r Warden & M^r Edgar Counsellor had a Conference in y^e painted chamber Westm^r wth the s^d M^r White, & shewed him the above menconed order under his hand and wthall told him, it did quite alter & destroy their ffoundacon & upon his view of the Letters patentes and statutes of y^e ffounder his answere was this order was granted upon a misinformacon, & bade them have patience for six weeks or two moneths at furthest for now y^e pliam^t was busy & then this order should bee made void, & the Colledge should bee as it formerly was.

3 July 1644.—The M^r Warden & Counsell wth M^r White y^e chairman of y^e committee for plundered ministers at his howse concerning the busines but nothing done.

febr. 1644.—The M^r & Warden peticoned y^e Parliament that they might choose ffellowes according to their statutes, M^r Lane, Councillor & a parliament man went wth them to deliu^r their peticon & they wayted severall times upon it, but nothing done.

1645. Nov. 1. 8. 11.—The M^r & Warden did againe peticon the said Committee they might choose ffellowes according to their statutes upon James Mead the Schoolm^r his relinquishing his interest that hee had from y^e Com^{tee} and did attend that Committee wth counsell, but nothing done.

13 Nov.—The said Committee by their order (Gilbert Millington chairman) did put in Edmund Colby to bee schoolm^r in the sd Colledge in James Meads stead, & to receive the like profitts.

1645. 2 Aug.—Upon M^r Crofts minister his relinquishing his Interest in y^e Colledge that hee had from y^e committee for plundered ministers the M^r & Warden againe peticoned the Committee that they might choose ffellowes as formerly according to their statutes, but it would not bee granted & the said Committee by their order (Gilbert Millington chairman) did put in Stephen Street to be minister of y^e colledge & to receive the profitts as aforesaid. And the said Stephen Street left y^e colledge on or about Christmas 1646.

1646. feb.—The M^r & Warden did againe peticon the said Committee that they might choose ffellowes according to their statutes but it would not bee granted, and soe they were forced to hire severall ministers such as they could gett to preach in the Chappell of y^e s^d Colledge till about the yeare 1649.

1647. Sept.—The M^r Warden & Assistants did peticon the parliam^t that they might choose ffellowes according to their statutes & attended on that peticon severall dayes & yeares, but nothing done.

1649. 28 Nov.—The committee for plundered ministers by their Order put in John Skingle to bee minister of the said Colledge and to receive the profitts.

1650.—The M^r Warden and Assistants did againe peticon the long pliam^t for that they might choose ffellowes according to their statutes & attended thereon many moneths, but nothing done.

1652.—The M^r Warden & Assistants did peticon the Committee for plundered ministers that they might choose fellowes, and they referred it to a sub comittee who had severall meetings but did nothing.

1653. Nov.—The M^r Warden & Assistants peticoned y^e short Parliam^t to choose fellowes as aforesaid, and they received their peticon & used them very courteously & told them that they would in a very short time settle the Colledge, but they haueing then very weighty busines under consideracon wished them to haue a little patience & it should be done, but not long after that pliam^t was dissolv^d.

1654. 30 March.—This peticon following was delivered to M^r Long one of the Masters of Requests to his Highness.

To his Highnes the Lord Protector of the Comonwealth of England Scotland and Ireland.

The Humble peticon of the M^r: Warden & Assistants of y^e Colledge of God's Guift in Dulwich in the county of Surrey, Sheweth.

That King James at the request of Edward Allen Esq^r. decd. did by his Letters Patents in the 17th yeare of his Raigne over England incorporate the said Colledge by y^e name of one Master, one Warden, fower fellowes, 6 poore brethren, six poore sisters & 12 poore schollers of the Colledge of God's Guift in Dulwich aforesaid, to endure & remaine for ever. And by his said Lres patents gaue power to the said Edw. Alleyn to make lawes statutes and ordinances for the governm^t of the said Colledge, who accordingly (amongst other statutes) ordained that when any of y^e s^d fellowes places should become void by death or otherwise then two psons qualified according to y^e s^d statutes were to drawe lotts for the place or places then void & upon such choyce to bee thereunto admitted and to take the Oath prescribed them in the said statutes. To the pformance of w^{ch} statutes the M^r, Warden & Assistants doe likewise take an oath, at the time of their admittance into their severall places.

That in the year 1644 the 4 fellowes places became all void by the departure of some & resignacon of others, since w^{ch} time the Committee of Parliam^t for plundered ministers haue disposed of the full profitts of the said 4 fellowes places both for double pencons & double diet to two persons but not as fellowes viz^t a minister & a schoolmaster who received the same accordingly, during their residence in the Colledge, & since to two others in their steads, who still remaine in the Colledge & receive the like pfitts, as by their sewall orders hereunto annexed may appeare. Yet soe it is, that the sole maintenance & whole Revenue of the said Colledge consisting of Rents reserved upon leases for yeares w^{ch} by the statutes of the Colledge are to bee let at a valuable rent w^{thout} any fine at all & but for 21 yeares & that by the consent & approbacon of the said M^r Warden fellowes & assistants, Many of the said leases are already expired, and yo^r pet^{rs} are nowe informed by councill learned, that according to the Charter and statutes of the Colledge, yo^r pet^{rs} cannot lett or renew any Leases of the Lands belonging to the said Colledge, because the fellowes are expressly limited by the Charter of their Incorporacon to bee pte of their Corporacon and w^{thout} them their Corporacon is not compleate, and because by the expresse words of the statutes of the flounder (to which their patent referres) y^e fellowes are appointed to bee present at the letting of all Leases, and soe for want of fellowes chosen according to the Statutes of the said Colledge to bee members thereof & ioyne in the letting of Leases, yo^r pet^{rs} are not in a Capacity to renew any Leases, to the danger of the suddaine overthrow of the said Colledge.

For prevencon whereof, and to the end yo^r pet^{rs} may discharge their sewall oathes

as aforesaid, May it please yo^r Highnes to take the pmisses into yo^r through & serious consideracon and to leave the power of choosing the said ffellowes to yo^r pet^{rs} as form^{ly} it was according to the statutes of the ffounder of the said Colledge in that behalfe made and provided, that the said guift see pious and usefull may not receaue prejudice as is sett forth

And yo^r pet^{rs} shall eu^r pray &c

THO: ALLEYN
RAPH ALLEYN

EDW CROSSE
PETER ECCLES
W^m LINTON
JOHN GREENHILL

JOHN HARDWICKE
W^m CROFTS
THO BUTLER
THO. CROWDER

RICH: SMART
JOHN JOHNSON
GEO JACKSON
RICH: DASHWOOD *

One & thirtieth day of May 1654

His Highnes's pleasure is, That the consideracon of this Peticon bee hereby referred to the Councill.

Nov^r 16, 1655

The following peticon was delivered to M^r Bacon one of the Masters of Requests to his Highnes:—

To his Highnes the Lord Protector of the Commonwealth of England Scotland and Ireland.

The Humble peticon of y^e M^r Warden & Assistants of y^e Colledge of God's Guift in Dulwich in the county of Surrey, Sheweth.

That yo^r pet^{rs} formerly addressed themselves to yo^r Highnes for redresse of the greivances menconed in the peticon annexed, and having received a Reference from yo^r Highnes to yo^r hon^{ble} councill, they left the determinacon thereof to the last Parliam^t who by their other occasions could not receive it. And yo^r pet^{rs} being by councill informed that the orders in the annexed peticon menconed for two p^{sons} to supply the places of 4 ffellowes are not onely contrary to their ffounders statutes but stand in yo^r pet^{rs} way as councill advise them for making or renewing of Leases for support of their colledge & foundacon, which ffellowes & leases, are to bee constituted and made according to their ffounders statutes, as by a true copy whereof hereto annexed appeareth, And some Leases being expired, others almost ended, the whole corporacon will want support & maintenance if remedy by yo^r Highnes bee not timely obteyned.

They humbly pray yo^r Highnes considering the p^mises and the matter in the annexed peticon, and that they haue not remedy otherwise, that yo^r Highnes would gratically bee pleased in case of such necessity to order yo^r pet^{rs} to pursue their ffounders statutes for electing ffellowes, making leases and doing other lawfull things for the benefitt of theis colledge, and the rather for that the ffortune playhowse (w^{ch} heretofore was a great part of their Revenue viz^t 128^{li} upwards p^r ann.), hath bene for diuers yeares altogether uselesse to yo^r pet^{rs}, stands empty & ready to fall and seuerall p^{sons} would gladly take the same to convert it to other uses w^{ch} might bring in some considerable rent towards the maintenance of their poore of y^e said Colledge, but yo^r pet^{rs} are not in a capacity to grant any Lease thereof for want of ffellowes chosen according to their statutes, as is sett forth in the aforesd peticon

And yo^r pet^{rs} shall pray &c

* The signatures are those of the Master, Warden, and two sets of Assistants.

Whitehall: Nov^r the 16th 1655.

His Highness pleaseth to referre this peticon & the pet^{rs} to the consideracon of Major Awdley, M^r Drake & M^r Arthur or any two of them, to state the particulars & certifie their opinion as touching the speedy setting of this matter

NATH^l. BACON.

This Committee reported as follows on the 27th December 1655 :—

May it please your Highness. Whereas upon the peticon of the M^r, Warden and Assistants of the Colledge of Gods guift in Dulwich, in the county of Surrey to your Highnes being dated the 16th day of November last, your Highnes was pleased to referre the same to us or any two of us to state y^e p^ticulars and to certifie our opinions concerning the same. In obedience thereunto wee have pused and deliberatly considered of the matter therein to us referred and wee doe finde

That King James at the request of Edward Alleyn Esq^r. did by his Letters patents bearing date the 21th day of June in the 17th yeare of his Raigne, incorporate the said Colledge by the name of One Master, one Warden, Four ffellowes, six poore Brethren, six poore sisters and Twelve poore schollers of the Colledge of God's Guift in Dulwich aforesaid, to endure and remaine for ever, and by that name to act sue and implead as occasion should require, And by his said Lres Patents did give power to the said Edward Alleyn to make lawes, statutes and Ordinances for the goverment of the said Colledge. And wee doe further find, that the said Edward Alleyn by his deed in writing under his hand bearing date the 20th day of November 1626, did make and constitute severall ordinances and Statutes for y^e regulating of the said Colledge and among the rest Hee did order that when any of the Four ffellowes places shall be void by death or otherwise, then the Master and Warden and the rest of the surviving ffellowes shall within six weekes then next after provide two able and sufficient psons to draw lotts for the place, and hee that draweth the right lott to bee presently admitted and the other to receive soe much of y^e pencon as proporconably should have accrued to the person departed, as aforesaid. And the pson admitted to take an Oath prescribed in the said Statutes.

And the said Edward Alleyn doth farther by his said Instrument order and direct that the two Senior ffellowes shall preach two Sermons every Sunday, and one sermon on the first day of September, and one other on the Nativity of our Lord God: and if the third and fowerth ffellowes be both absent, then they shall pforme all ministeriall dutyes in the Chappell, the third ffellow shalbe Master of the Schoole and the fowerth shalbe Usher and both shall have a speciall care for the vertuous instruccon and educacon of the Schollers and alternis vicibus read prayers weekly in the Chappell. And it is thereby farther ordained That noe lease shalbe made to any pson or psons of any of the Lands given by him to the said Colledge but by the consent and approbacon of the said Colledge or the most pt of them there present, under their hands and comon seale of the Colledge.

And it has bene further made appeare to us, that the fower ffellowes of the said Colledge in or about the yeare 1644 did desert or resigne their places and imployments, whereupon by order of the 23th day of May 1644, the Comittee for plundered Ministers did nominate and constitute John Crofts Master of Arts to supply the place of the two Senior ffellowes of the said Colledge and to receive the Rents and pfitts

growing due to them. And y^e s^d Committee in, and by the s^d order, did likewise appoint James Mead, Batchelor of Arts to pforme the duty of y^e two other ffellowes, in teachinge schoole in the said Colledge and to have the rents and profitts growing due to the said two ffellowes.

And wee find by the said Order that the same was provisionall onely, as wee conceive for a time till the state of the said Colledge should bee taken into further consideracon w^{ch} are the words of that order. And by order of the said Committee of the 2nd of June 1645, upon the said M^r Crofts his deserting the s^d place one Stephen Streete was nominated by the s^d Committee to supply the place, and upon his deserting it one John Skingle by order of y^e 28th of Nov^r 1649 was by the said Committee nominated to supply the said place of the two sen^r. ffellowes till further order only. And that by order of the 13th of November 1645 the said Committee upon the said M^r Mead's relinquishing his Interest in the place of the said two other senior ffellowes, the same by the s^d order was sequestered to the use of Edmund Colby, Master of Arts who is thereby required to teach the said Schoole and to take the Rents and pfitts of the said two ffellowes till further order.

And it has further bene made appeare to us that there are divers Messuages and Lands wherewith the said Colledge is endowed whereof the best use and advantage cannot bee made for y^e benefit of the said Colledge for want of making and renewing Leases of the said Howses and Lands, which the Colledge, at present as wee conceive, is not in a capacity to make according to the aforesaid Rules and Orders of their Foundacon, there being but two ffellowes where there should bee fower, and these two not nominated and elected according to the said Rules of the Foundacon.

Having thus, according to your Highnes' order found and set downe the state of the pticulars, Wee submitt further our humble opinion concerning the pmisses to yo^r Highnes according to yo^r Highnes' order to us directed.

1st That it is most agreeable to the Rules of the ffoundacon that there should be fower ffellowes elected and established in the said Colledge according to the Institucon and Rules of the foundacon for the pformance of all such dutyes as are required.

2. That by the orders of the Committee of Parliament for Plundered Ministers, M^r Skingle and M^r Colby are to supply the places, to receive the profitts and enioy the priviledges of the fower ffellowes till further order shalbe taken therein.

3. That for the due regulating of the said Colledge according to the Rules of the ffoundacon and intencon of this Charity, your Highnes would bee pleased to appoint a Corporacon of Visitors in lieu of the late Archbishop of Canterbury and his successors (who by the ffounder were nominated to bee ppetuall Visitors) which Corporacon wee humbly desire may receive full power from your Highnes at convenient times to visitt and take order for the due execucon of the statutes and Rules of the Foundacon to the preservacon of which Statutes wee find the officers of the said Colledge are by Oath obliged. All which wee humbly tender to your Highnes' consideracon and determinacon.

FRANCIS DRAKE, L. AWDLEY, JOHN ARTHUR.

Upon this report the Lord Protector named on the 11th February 1655/6 the following as a Commission for visiting the College :—

Nathaniel Fiennes, John Lisle, Sir Bulstrode Whitelock, Sir Thomas Widdrington, Edward Montague and William Sydenham Esq^{rs}. Major General John Lambert, Chief

Justice Oliver S^t John, Edward Whalley Commissary General, Matthew Hale one of the Judges of the Court of Common Pleas, Sir William Brereton, Bart, John Sadler and Nathaniel Barron Esq^{res}. Masters of Requests, Sir Thomas Pride, John Corbet, Lewis Awdley, Abraham Babington, Walter S^t John, Samuel Highlands, John Hardwicke, Francis Allen and William Rolfe Esq^{res}. Robert Tichborne, John Blackwell Jun^r. Francis Drake, Will Turner.

This visitation lasted for upwards of two years; during its continuance, on the 4th March 1657/8, a second poor scholar, Thomas Woodall of Bishopsgate, was ordered to be sent to Exeter College, Oxford, with an allowance of £16 per annum. His parish also gave him £5, as appears from the following extract from the register of St. Botolph's:—

18 May 1658 That there shall be £5 disbursed for y^e fitting out of Thomas Woodhall, from Dulledge College to y^e universitie, in clothes, and monies towarde buyeing him books. But not to be any p^{re}ident for y^e future.

Like the boy previously sent to Cambridge, he did not proceed to any degree.

On the 19th March 1657/8 the Commissioners appointed by Cromwell made the following appointments to the Fellowships:—

Friday the 19th day of March in the yeare of our Lord according to the computacon of England 1657, in the howse of Thomas Howson in the pish of Lambeth in y^e county of Surr: before the Hon^{ble} Thomas Kelsey Esq^r., Lewes Awdley, Esq^r., W^m Turner Doctor of Lawes, ffancis Drake, and John Hardwick Esq^r. Commissioners (amonge others) lawfully authorized under the great seale of England for the ordering, visiting and due settling of God's guift Colledge in Dulwich in the said County of Surr, in the psence of Andrew Burt, publique notary being assumed attorney for this present time:

Which day appeared personally John Bradford Batchelor of Arts now or late student in Brazen Nose Colledge in the University of Oxon, and Henry Tilley, batchelor also of Arts, and now or late Student in Christ Church in the said University of Oxon, and alleadged That at a Court or meeting holden in the Doctor's Commons in London on the 23th day of Febr. last past, before the said Thomas Kelsey, Lewes Awdley, William Turner, ffancis Drake and also before William Stanes Doctor of Phisick, John Blackwell and Edward Cressett Esq, the said John Bradford and Henry Tilley were lawfully elected and chosen to the Schoolmaster's and Usher's places of the said Colledge, now being void by lapse or otherwise. That is to say, hee the said John Bradford was elected to y^e Schoolmaster's place and hee the said Henry Tilley was elected to y^e Usher's place of the said Colledge. Wherefore they humbly pray to be admitted to the said respective places accordingly and then the said Com^{rs}. taking into consideracon the necessity of having the said places filled and supplied, for the good and benefitt of the said Colledge, Did admit the said John Bradford to the Schoolmaster's place of the said Colledge and the said Henry Tilley to y^e Usher's place of the said Colledge, they the said John Bradford and Henry Tilley having first severally taken openly before the said Com^{rs} the Oath usuall accustomed and by the Statutes of the said Colledge required for them respectively to take. And

then appeared personally William Carter of Corpus Christi Colledge in the University of Cambridge, Mast^r of Arts and John Harrison of Trinity Coll in the said University of Cambridge, Mast^r of Arts and did alleage that the two minister's places in the said God's guift Colledge in Dulwich are now vacant and void by lapse or otherwise, and that they are in all respects qualified for y^e executing of the said places as by y^e statutes of the said Colledge are required. Wherefore they humbly prayed to bee admitted to the said two minister's places. Whereupon the said Com^{rs} taking likewise into consideracon the necessitye of having the said two Ministers places to be supplied and filled for the good and benefitt of y^e said Colledge and likewise having received sufficient Testimony of the honest and godly lives and conversacons of the said W^m Carter and John Harrison and of their abilities in learning and divinity. Did unanimously elect and choose them the said W^m Carter and John Harrison to the two minister's places, now vacant and void by lapse or otherwise as aforesaid, in the said Colledge, and then y^e s^d William Carter and John Harrison, taking severally the Oath usuall accustomed and by y^e Statutes of y^e s^d Colledge required for them respectively to take, openly before the said Com^{rs}, were admitted by the said Com^{rs} to the said two Minister's places of y^e s^d Colledge so as before vacant and void, that is to say, the said William Carter to y^e senior Minister's place of y^e s^d Colledge, and the s^d John Harrison to y^e junior or second Minister's place. And then the said Com^{rs} in the presence of y^e now M^r and warden of the s^d Colledge did monish the same William Carter, John Harrison, John Bradford and Henry Tilley duely to execute their severall and respective places in the said Colledge, according to the present Lawes and statutes of this Commonwealth, and according to the Lawes, Customes and Statutes of y^e s^d Colledge, and did order them to begin to execute their said severall and respective places on the 25th day of March next and from thence also to begin to receive and enjoy the issues, p^{ro}fits, comodities, priviledges and immunityes to their said respective places belonging or appertayning. And lastly the said Com^{rs} did require mee the said Publique Notary to attest the premises under my hand and to make severall publique Instruments for the said W^m Carter, John Harrison, John Bradford and Henry Tilley for the better empowering of them to execute their said severall and respective places and for receiving of their severall and respective profits to their respective places belonging to bee signed and sealed by the said Com^{rs} when I should bee thereunto desired.

Attested by me Andrew Burt, Actuary for this present business.

Attested also by me Will^m Jenkins Clerke to the said Commissioners.

At the audit on the following 4th September all these Fellows signed the accounts, having been admitted in accordance with the above order on the previous 25th March. Mr. Colby and Mr. Skingle were paid their allowances until that day, and then "dischardged from the Colledge." Mr. Skingle remained at the College till his death in September, being probably too ill to be removed.

The visitors did not confine themselves to filling up the Fellowships, but took into consideration complaints made by Elias Alleyn, the unsuccessful candidate for the Wardenship in 1642, and others, against the Master and Warden for mismanagement of the College affairs. The result was an acquittal on all the counts raised, as is thus recorded in the audit book:—

The Master and Warden haue attended on the Visitors (by their Order) wth the 2 Register Bookes wherein all the receipts and disbursments of the Colledge are entred since the death of the ffounder, the Letters patents and the statute booke of the Colledge, together wth 5 day bookes three files of acquitances for moneys paid, all the ticketts abated by our Tefints for Parliam^{ts} taxes from y^e beginning wth severall Rentalls & other papers of consequence concerning the Colledge, att their severall places of meeting from the 22th of Aprill 1656 to the 19th of Aprill 1659 viz^t

In the Parliam ^t Chamber in the Temple	02 times.
In Doctors Comons London	26
In the Court of Wards chamber Westm ^r	11
In the Vine at ffoxhall Lambeth	08
In Worcester howse in y ^e Strand	01
In Carroone howse on some of y ^e Com ^{rs} there	08
And at Whitehall on y ^e Lords of y ^e Councill	06
At M ^r Waterhowse his Lodgings in Whitehall	07
At Westminster hall in y ^e Starr chamber	02

And after all this the Visitors hereunder named did meete att Westminster the 19th day of Aprill 1659 and agreed on & signed this Report to his Highnesse Richard Lord Protector as followeth viz^t

To his Highnesse the Lord Protector of y^e Commonwealth of England Scotland
& Ireland &c

Humbly presented

That it pleased His Highnes yo^r late father of happy memory, by a comission under the great seale of England, bearing date the 11th day of ffebr 1655 to appoint severall psons of honour & quality to bee visitors of the Colledge of God's guift in Dulwich in y^e county of Surrey and thereby to impower them or any five of them to doe & execute all matters & things in that behalfe requisite & necessary to bee done and executed, for the due setlem^t of y^e said Colledge according to y^e Lawes, statutes & customes of England, & the ordinances, statutes & charters of y^e said ffoundacon & according to y^e will of the ffounder, as fully & absolutely as any visitor heretofore might or ought to have done As by y^e said Comission more at large appeareth

That all or the greatest part of y^e sd Visitors having upon their first meeting wth was in Aprill 1656, referred it to some few of their number, to puse the Letters patents and statutes of the said Colledge & to examine how they had bene observed and how matters then stood in relacon thereunto and having stated matter of ffact to certifie the sd Com^{rs} thereof, at their next meeting wth was appointed to bee the 13th of May 1656.

And the said Referrees the 13th May reporting y^e matter of ffact as to the present state of the Colledge It was then desired by the Lords Com^{rs} of the great seale being of y^e number of y^e Visitors that y^e sd Referrees wth as many of the others visitors as could conveniently attend it, would proceed to y^e setlem^t of the said Colledge according to the tenor and effect of the said Comission of Visitacon.

That thereupon the Com^{rs} subscribed, wth others (whereof some are lately deceased) taking upon them the said office of Visitacon wth all due care & consideracon according to the best of their understanding & Judgments, endeavoured to discharge

their duties & consciences therein & after severall meetings during the space of almost two yeares together haue some moneths since & before the death of his late Highnes (as they humbly conceive) settled y^e s^d Colledge according to y^e purport of his late Highnesse Comission & true intent of the statutes of the Colledge as farre as they were consistent wth the present governm^t whereof they wilbe ready to giue yo^r Highnes a more ample accompt, if thereunto required.

That upon y^e peticon of one Elias Alleyn to yo^r Highnes, wherein, among other things, it is suggested, that though a Comission was by his late Highnes directed to some psons of quality to rectifye y^e abuses & for y^e better settlem^t of y^e sd Colledge, yet that little or nothing was done therein Yo^r Highnes hath bene pleased by yo^r order 3^d of March 1658 to referre y^e peticon to severall psons therein named or any three or more of them, to give notice to pties & witnesses to appeare before them examine y^e pticulers of y^e peticon & state & certifie the case to yo^r Highnes, wth their opinion.

That though the said Elias Alleyn never yet appeared before the Visitors aforesaid, either in pson or by proxie to our knowledge Yet all the matters suggested in y^e peticon & charged ag^t the M^r & Warden haue bene, by another hand, (who now againe appeares to bee acting wth the pet^r in the same complaint) presented to us & after full hearing & consideracon of the whole matter, upon the answers of y^e s^d psons complained of & the testimony of severall witnesses duely examined, according to y^e intent of y^e s^d comission Wee & some others of the Com^{rs} aforesaid, finding noe just cause (as wee humbly conceive) to remove the s^d M^r & Warden, haue thought fitt to continue them in their places, & haue also chosen & admitted, fower other psons to bee fellowes of y^e said Colledge according to y^e intencon of y^e ffounder & the statutes in that case provided.

Soe that notwthstanding what hath bene suggested in y^e peticon aforesaid, as if little or nothing had bene done by us: Wee humbly begg yo^r Highnesse leave to say that wee haue wth all fidelity discharged our duties as to the trust reposed on us, for y^e due settlement of the said Colledge, upon its right and statutable foundacon, wthout favour or partiall respect to any psons whatsoever.

All w^{ch} wee humbly submitt.

During the continuance in office of the preachers and schoolmasters appointed by the Committee for Plundered Ministers the register shows that baptisms were almost entirely suspended, as it contains but two between the years 1645 and 1658, both of them children of Phillip Collins, a tenant of the College; and with one exception in 1656, the burials are exclusively those of the poor brothers and sisters. After the appointment of the new Fellows the baptisms are more frequent, and entries of some weddings occur. One of these runs thus:—"1659. Abell Millar of the parish of " Cammerwell in the countie of Surrey yeoman and Katherine Pittis of the " parish of Lambeth, were married May 24 in this chappell, having been " cried in the market place in Southwark in the same countie aforesaid on " three severall market daies;" and on the 17th July there is another marriage after a similar publication in the market-place.

This was in accordance with the provisions of an ordinance of the Long

Parliament in 1653, which authorized the publication of banns in the market-place if the parties preferred it to publication in a church, and which at the same time declared that marriages should be legal only when solemnized before a Justice of the Peace. The latter provision, however, does not seem to have been generally enforced. All marriages so contracted were expressly legalized by the first Parliament of King Charles the Second.

From this time the right to the appointment of Fellows was resumed by the College, though it was frequently allowed to lapse into the hands of the Visitor by a delay of the election beyond the period of six months after a vacancy.

The College buildings had for some years previous to this date shown signs of decay, and on the 30th June 1656 the following report by Edward Jerman and John Tanner, city surveyors, was presented (MSS. vi. 16) :—

Decayes observed att the Hospitall of Dullwich and meanes prescribed for prevention of damage. Imp^r. the dore goeing into the Garden decayed and necessary to bee repaired by putting a new dore case of Timber, the posts and head peices to bee 14 ynches broad and 7 ynches in thickness.

It: the Steeple or Tower decayed and Damage may bee prevented by raising two Buttresses the one att the South East Angle the other att the South west angle thereof. Alsoe it is necessary to tye in the said Tower, the clossett, porch, and chappell together by Timber and Iron not only in the rooffe but also att each floore.

It: The rooffe over the greate chamber and Gallery is decayed and damage may bee prevented if stoutt beames and dogge of Iron bee fastened to the Beames Joyst and raising peices that is to say 7 in each Bay viz^t. 2 to each board and 3 for the middle joyst in the midst of each Bay. Also that new sleepers bee putt in where needs require and new purloynes over the greate chamber and the Rafter fastened to the said purloynes.

It: The Garrett is sunk over the warden's back chamber and damage may be prevented if a strap of Iron bee fastened to the raising piece southward.

It: The wall under the schoolhouse is decayed and damage may bee prevented if two Buttresses bee erected att the two angles of the Wall w^{ch} breakes forth into the courte, each Buttresse to bee 18 ynches thick and 2 foote broad, the like Buttresses are necessary to bee erected on the West of the said Court opposite to the said schoolehouse. Also it is necessary to make up the doare and one of the two lights of the windowe, att the north east corner of the said courte and the like light to bee stopt up att the north west angle of the said courte.

It: for prevention of damage it is necessary 4 Buttresses be erected towards the north two att the end of the Gallery and two att the north end of the schoolmasters lodging.

And lastly that all the aforesaid Buttresses have sufficient shores sett up for support of the said Walls and wrought up in Brickworke.

EDW JERMAN: JOHN TANNER:

The College was not in a position to execute these repairs, and probably nothing was done, for on the 6th June 1661 some part of the College fell

down, and Mr. John Alleyn, probably the same John Alleyn in whose favour the Master had resigned in 1644, lent £150 to repair it. The record of the loan is noticeable as containing the first mention of a picture gallery in the College:—

26 Aug^t 1661. Rec^d of John Alleyn upon bond under the Colledge seale taken up at Interest for six moneths w^{ch} was towards the rebuilding of the 5 chimneys, the garret, picture Gallery and fower of the old womens roomes w^{ch} fell downe the 6th June 1661 the some of £150. 00. 0.

On the 4th March 1661/2 Roger Bailey of Bishopsgate was ordered to be sent to Oxford on the same terms as in previous cases. He entered at Wadham College on the 25th November 1662, being the fourth scholar sent to a university, and he graduated B.A. at Wadham on the 19th June 1666, and subsequently became a Fellow of Dulwich College. At this audit also the first rent for the site of the Fortune was received, being £34. 10s., the materials “of the late ruinous and now demolished Fortune playhouse” having been previously sold to the lessee for £75. Several changes took place amongst the Fellows during the years immediately succeeding their appointment by the Commissioners. On the 27th December 1659 the usher, Henry Tilley, resigned, and John Michaelson was appointed to succeed him. John Harrison, one of the preachers, also left on the 26th December 1660, and Henry Byarde took his place on the 1st January 1660/1; John Bradford, the schoolmaster, left about the end of 1661, Michaelson, the usher, being promoted to this office on the 21st February 1661/2, and Samuel Paddy appointed usher on the same day. These two last resigned on the 8th July and 17th May respectively, and Samuel Atwood and Francis Brockett took their places on the 28th July. Mr. Brockett was promoted to be schoolmaster on the 20th February 1662/3, *vice* Atwood resigned, and will be heard of hereafter.

The year 1664 was a memorable one for the College, for then began the visitation of Archbishop Sheldon, which lasted, with several long adjournments in consequence of the raging of the plague in 1665 and the subsequent fire of London in 1666, until the 9th October 1667, when the Archbishop published his Injunctions, which became the law of the College until 1724.

The plague did not spare Dulwich, for the Register records the names of thirty-five persons buried in the churchyard who had died of it. An attempt seems to have been made to set down all the deaths attributable to it, for several persons are also mentioned as being buried elsewhere. Colonel Lytrott, his wife, four children, and two men-servants died, the Colonel being buried at Camberwell, his wife and children at St. George's, Southwark, whilst the two men, only one of whom died of the plague (the death

of the other being attributed to "stone and wind"), were buried at Dulwich. Nicholas Weekes, "the Millar of this Libertie," with his wife and four children, also died of the plague, and several other families lost more than one of their number. A nurse child is buried in two instances without any name being given. The College itself escaped with the loss of two poor scholars, a kitchen boy, and the cook, all of whom died in February and March 1665/6, and were almost the last victims, there being only one more person buried whose death is attributed to the plague.

Mr. Henry Byarde, the second preacher, resigned on the 14th April 1665, and on the 22nd April an injunction was received from the Archbishop ordering the College to "forbeare to proceed to the admission or election of any pson or psons into such office or offices, place or places soe void or to be void as aforesaid wthout my consent and licence first had for soe doing, during the continuance of the said visitation and untill the same shalbe fully ended and concluded." There were, therefore, only three Fellows from this time until the restoration of the organist's office in 1669.

On the 5th March 1665/6 an order was made for sending John Small, poor scholar, to Wadham College, Oxford. He was the fifth boy so sent, and graduated B.A. from St. Alban's Hall on the 30th June 1671. On the 25th March John Harper, the usher, resigned, and Roger Bailey, the poor scholar sent to Oxford in 1661, was elected to succeed him, notwithstanding the Archbishop's injunction mentioned above, but probably with his consent. On the 4th March 1666/7 a sixth boy, William Waite of St. Saviour's, was sent to Wadham College, Oxford. The court at the time of making the order to send him allotted him £18 per annum for the first four years of residence, and £20 per annum for the last four years, "in regard his maintenance wilbe greater." This was a reversal of the previous custom, and seems to have been inadvertently done, as at the next audit the allowance was altered to £18 per annum for the whole term of his residence. He left Oxford without obtaining any degree.

Meanwhile the visitation had proceeded, the Archbishop appointing a Committee, which attended several times at the College. Their report is preserved in Archbishop Sheldon's Register in Lambeth Palace, and also in the Tanner MSS. in the Bodleian Library.

In the first place, the Committee recommend the retention of the six assistants and the re-establishment of the thirty out-members.

Next they report:—

We find not much to say against their (the fellows) non performance of duty according to the statutes. But as they have been put out of a capacity of doing it in

some poynts (as in wearing of surplices and singing in the quire) by the force of the late tymes of disorder and rebellion.

They then report :—

We find the four fellowes have been and yet are apt enough to be petulant and sawcy with the Master and Warden. The reasons of which we conceive to be 1. because they are four against two. 2^d The Master and Warden being laymen and they priests and University schollers they thinke they have advantage thereby to despise them. Hereupon if your Grace think fit it might be ordayned. (1) That noe vote should be valid unless the Master or Warden or one of them be on the side of the majority. (2) Whereas the Fellowes come to the Chappell in surplices and hoods according to their degrees and the Master and Warden barely in surplices which makes them appear to these young fellowes but as singing men. That for giving them the greater reverence in their outward appearance at the Chappell there might be designed for them some kind of civill hood upon one shoulder and a Tippet or some such thing before, over their surplices.

Next, “concerning y^e Chappell and Divine Service,” they report :—

We find that the service by statute is appointed to be performed as near as may be to y^e forme of y^e King’s Chappell or S^t Peter’s Westminster. But that by the iniquity of the late tymes their quire and singing was put down, their organ broken to pieces and carried away, The master Warden and fellows and boys forbidden to weare surplices, their Communion table turned end ways East and West and severall other disorders now crept in and continued to the tyme of this visitation. Whereupon we thought fitt to order them to furnish themselves with surplices, which is done. To place the Communion table as it was long ways against the East wall within the Raylles of y^e Chancell. To bring back the reading desk for the lessons in the middle of their Quire as formerly, and to provide them a Faldastory or Litany Desk there to sing or say the litany, all w^{ch} things are done; and lastly finding their rents well increased and that they begin to be in stock of money, we have ordered them and they are willing to it, to provide as formerly they had, a small organ fitt for their Chappell, that they may have their service there, according to the statute as near to Cathedrall fashion as may be.

Next, “concerning the School and Schollars,” they report :—

We do not find that the orders by statute for the manner and houres of keeping Schoole and teaching y^e poore schollers and Foraigners are observed, But we feare that by the passion and indiscretion of the schoolmaster, y^e school is not so well governed as it ought, nor in so good reputation as it might be wished.

After finding sundry small faults, they proceed :—

We find the allowance for dyet is very short for y^e Master Warden and fellows being only about 6^d a day for Dyet.

They then go on to make recommendations as to the revenue, which

were all adopted and embodied in the Injunctions which were issued on the 9th October 1667, and are *in extenso* as follows:—

Orders, Directions Rules & Injunctions for the better government of the College of Gods Gift in Dulwich, Given at the Visitation of the most Reverend Father in God, Gilbert by Divine Providence Lord Archbishop of Canterbury, His Grace, Primate of All England & Metropolitan, Visitor of the s^d College began the Sixteenth day of July in the Year of our Lord 1664, and of His Graces Translation the Second

Concerning the number & Quality of Members in the s^d College We having in this Visitation Considered the Disagreement between the number of members of the s^d College, as it is first Expressed in the Licence of Foundation, & as afterwards is ordained in & by the Statutes of the s^d College do Declare & for the present Direct & Appoint that the number of Members of the s^d College be as for the most part hath been practised ever since the Foundation, & as the present state of the s^d College doth require, that is to say. That the s^d College shall Consist of One Master, one Warden, Four Fellows, Six poor Brethren, Six poor Sisters, Twelve poor Scholars, one servant for the Master, one Servant for the Warden, one Porter, one Cooke, one Butler, one Kitchin Boy & Two Husbandmen. All which persons shall be In Members Dwelling within the s^d College, and living according to the Statutes, Orders & Rules of the s^d College, & shall Receive such Wages & Dyet as hereafter is Expressed And also that there shall be one Bayliffe to Look to the Woods And one Clarke to make up the Accompts of the s^d College accordingly as formerly ever since the Foundation hath been used & accustomed, Which Two last mentioned Servants shall not be entertained as In Members, but to be Servants at large, living without the s^d College upon such wages only (without Dyett) as hereafter shall be Expressed.

Moreover, That there shall be as the Statutes do Ordain & Appoint Six Assistants, and also Thirty poor people pensioners of the s^d College viz^t. Ten out of each of the Three parishes from whence the assistants are to be chosen, that is to say Ten out of the parish of S^t Botolphs without Bishopsgate London, Ten others of the parish of S^t Saviours Southwarke in the County of Surrey, And Ten others of that part of the parish of S^t Giles Cripplegate London, which is in Middlesex, and these latter viz the Six Assistants & Thirty poor to be Out Members & not living within the s^d College. And that their Offices & Duties (unless Dispensed withall by Us or our Successors Archb^{ps} of Cant Visitors of the s^d College) & their Allowances shall be as by the s^d Statutes is Sett down & Ordained.

2. Concerning the Master, Warden, Fellows & all other Members of the s^d College. The Superiority of the s^d Master & Warden and Obedience of all others the Inferiors.

We do Enjoyn, that according to the Statutes, The Master is Chief & next unto him the Warden be by the Fellows & all Inferiour Members observed in all things & Obeyed, And that the Master & Warden in their several offices Govern & doe the Duties of their places with Mildness as well as Authority. We do also as a mark of Distinction & Dignity Appoint & Enjoyn That the Master & Warden shall & may at all times (if they Please) wear about their necks over their Gowns a long Tippet of Taffaty or Sarcenett & also when they come to Chappel in their Surplices, they shall wear such a Tippet as afores^d over their Surplices.

3. Concerning the Chappel & Divine Service

We do Order and Enjoyn That according as the Statutes of the s^d College Ordain, And according as by Our Commissioners in the Visitation We have Directed &

appointed the Service of God in the Chappel of the s^d College be observed & performed, as near as may be according to the Patterne of His Majesty's Chappel or S^t Peters Church Westminster, And that as near as may be the s^d Chappel in all things, be kept Conformeable to His Maj^{ty}s Chappel or S^t Peters Church Westminster afores^d And that the Master, Warden & Fellows of the s^d College forthwith take it into consideration, to provide a good Organ, as formerly there hath been for the Use & more Solemn Service of God in the s^d Chappel, which s^d Organ shall be provided & Set up in the s^d Chappel before our Lady day which shall be in the year of our Lord 1669.

4. Concerning the School & Scholars.

We do Admonish the present School Master & Usher That they be Careful in performing their Duty of Instructing the Scholars, as well Foreigners as the Twelve poor Boys of the s^d College, & We do Enjoyn them & every future School Master and Usher there, That they Forbear from all passion towards the Scholars, but especially from Blows And that they Give no other correction to any but with the Rod or Ferula & the same with Mildness and Moderation.

5. Concerning Private Sittings, Publick Audit & private Sitting Days Audit & Treasure Chambers.

We do Declare That We do think fit in all votes for Letting or Setting of the College Lands, or in any Business concerning the Governing and Ordering of any persons or Affairs of the College, That as the Statutes do Give the Master & Warden Superiority of place, & to the Master a casting Voice when the Votes are equal, So when the Votes are not equal that no Vote of any Major part shall be accounted good & valid, Unless the Master & Warden, or at least One of them be of that side which hath the Major part of votes, And that all Business or Matters which do or may concern the s^d College be proposed by the Master, or in his Absence by the Warden, or else no Vote to pass. For otherwise the Master & Warden by a combination of the Fellows & others may be made as Cyphers, who by the Statutes (as before is said) are intended & made to be the Chief & Superiors, And therefore We do Enjoyn all the Members of the s^d College to acquiesce in this our Determinaçon, & for the future to observe & Follow the Directions thereof with all due Obedience.

6. Concerning the Orders for the Lands & Revenues of the s^d College.

Whereas We find that for Several Years from & after the Foundation of the s^d College, viz. all the Founders Life time, & some time after Divers parcels of Lands were held & kept in the College hands and that for the Management of the Same there were kept & maintained by the College Husbandmen Ploughmen, Ploughs, Teems, Carts and other necessary Implements & Instruments for Husbandry, & also Vessels for Brewing & such like Household Uses which Lands (except some parcels of Land worth ab^t £20 p ann.) now for about 30 years since have been Lett out to Tenants, And the s^d Ploughs, Teems, Carts, Instruments of Husbandry & Brewing Vessels, have been since sold away or perished & Decayed which appears to be contrary to the Strict Letter of the Statute; Yet forasmuch as it is Evident the Same was done long before the time of the present Master, Warden & Fellows & by the advice of our predecessor ArchB^p Laud at a visitation of the s^d College by Him held (as We are credibly informed). We do therefore acquit the s^d Master, Warden & Fellows thereof And do declare our Judgement and Opinion to be, That considering all things, The s^d College is not thereby at all Endamaged but that it is rather to the Ease & Benefit of the s^d College, And therefore We do think fitt, not to Enjoyn them to Restore the same or any of them; Further than that We do appoint & Ordain That

there shall be kept (in order to the Service of the s^d College, & at the Charges of the s^d College) Four horses onely, viz: One for the Use of the Master, One for the Use of the Warden & Two others for the General Use of the College, for marketting Horses without allowance of any more Horse or Horses to be kept by or for the Use of any Fellow or other Member of the s^d College, than as afore is Expressed. And We do strictly Enjoyn That for hereafter there shall be no alteration made in the Way & Manner of ordering the College Lands and Revenues from the present Form & Course they are in, but by the knowledge & consent of Us & Our Successors Archb^{ps} of Cant for the time being, the Lawfull Visitors of the s^d College. 2^{dly} Whereas We find that by the Decay of the Fortune Playhouse about 25 years since, the s^d College was for many years endamaged in their Rent to the value of ab^t £2400 in the whole, & by that means & by the Falling down of one whole side of their College, & a great part of the other side (both which are since substantially built up again) the s^d College was not only quite out of Stock but run into Debt also, Yet with much satisfaction We find That the s^d College is not only wholly brought out of Debt, but also in full Stock And the Rents & profits of the s^d College are so improved & better'd That they are well nigh as high & great as at the First Foundation, and will hereafter be much more Improved by Increase of Rent upon their Lands & Tenements about Dulwich, but especially by Increase of Rent when the present Lease or Leases of the Tenements now Built where the s^d Fortune Playhouse did formerly stand, shall be Expired In which We do not only in our Judgement (and as far as in Us lies) acquit the s^d Master Warden & Fellows & the whole corporation of the s^d Foundation for what they have done therein, though in Letting those Leases for an Under Rent (which yet in those times of Trouble was proportioned at Two shillings Six pence a Foot, & the Tenant to build at his own Charge) they seem to have Transgress'd against the Statute; But because We are satisfy'd they have done according to the present Exigence what in prudence & Discretion was best to be done, & by the authority of a Decree in Chancery made to authorize this Leasing since the happy Restoration of His Majesty, We cannot therefore but think well of their care & Industry in the management thereof; Onely for the time to come We do order & Enjoyn That neither These nor any other Lease or Leases of any of their Lands or Tenements shall ever be Renew'd but at the best Improvement & for no Fines, And that before any of their s^d Lands or Tenements shall by Lease be Lett out or renew'd The s^d Master or Warden & Two of the s^d Fellows shall with y^e Assistance of some such skilfull person or persons as (if need shall require) they shall choose, take a Survey or View of such the s^d Lands or Tenements to be by Lease Renewed or Lett out, to the End that as well the true value of the s^d Lands & Tenements, as also the true state & condition of the same may beforehand be known, & at the next publick audit or sitting Day when such the s^d Leases are to be Lett or Renewed They or one of them shall make a true & just Report to the whole Corporation then assembled how they find the same. That the s^d College by Ignorance or Inadvertency may not Suffer any Detriment in the Letting of their Leases, And moreover We enjoyn That neither for those nor any other such Leases They or their Successors do presume to make any Bargain or contract contrary to the Rule of their Statutes & this present Injunction, upon any pretence of Reason whatsoever, without first consulting & obtaining the consent of Us & our Successors Visitors of the s^d College as afores^d.

3^{dly} For the better preserving their Lands, that they be not by any encroached upon We do Enjoyn the s^d Master Warden & Fellows that they cause a perfect Terrier or Boundary to be made of all & every their Lands & Tenements every where lying

And that they Express therein the nature of their Land, whether Arable, pasture, meadow or Woodland And also a perfect Rentall of all their Lands & Tenements as they are now Lett, with the names of their Tenants their Rents & number of Acres, And that they likewise make or cause to be made a several Duplicate of the s^d Terrier & Rent Roll, & that they Affix unto each part of the s^d several Duplicates, the common Seal of the College, one of which Terriers & Rent Rolls shall Remain in y^e College Chest of Muniments, & the other shall be Delivered unto Us, to be kept in the Archbishops Principal Registry amongst the Publick Records there. And moreover We do Enjoyn That there be Three copies made of the s^d Terrier which shall be Delivered to the Assistants to be kept, one in each parish from whence the s^d Assistants are to be chosen And that this be done before the Feast of S^t John the Baptist next ensuing. We do also Enjoyn that every seventh year from henceforth the Master Warden Fellows & Assistants or the major part of them do according to the s^d Terrier Survey the s^d Lands & make Request unto Us & our Successors how they find the State of their Lands And if it shall be required shall deliver in at that time such another perfect Terrier as afores^d or else certify that the former Terrier in all points stands good as when it was first made. We do further Enjoyn That every Third year they shall Deliver to Us or our Successors a new Rent Roll of all their Lands & Tenements, That the Change of their Tenants & Rents may always appear & be known We do further Enjoyn that at or before the Feast of S^t John the Baptist next ensuing They give in unto us or our successors a particular of their woods what Timber there is in them, and into how many Falls their Coppices are Divided, and what number of Acres is in every Fall.

7. Concerning the Disposing of the College Revenues and the particular Allowances out of the same.

Whereas We find Divers Imperfections in the way by the Statutes set for the Disposing of the College Revenue & in & concerning the allowances out of the same particularly the Allowances for Dyett to the Master Warden & Fellows poor Scholars & Servants being set down to scanty short, & Disagreeing in one place with another, Many expences being omitted which are necessary, & some appointed which never were in practice We do therefore hereby declare, Direct & appoint That for the time to come (till a better settlement can be established) The College Revenues & Profits, and the allowances out of the same shall be Disposed of & allowed after the proportions following that is to say

	£	s.	d.
1. Imprimis the Master Warden & Fellows Dyett to be increased from 10 ^s a year a piece to 15 ^s a piece, in all yearly	90	0	0
2. The poor Scholars & Eight servants allowance which is about 3 ^d 9 ^a a Day a piece to be made up 6 ^d a Day a piece in all	182	0	0
3. The poor Brethren & Sisters Bread & Beer to each 2 ^d a day In all yearly	36	10	0
4. The Masters Pençon yearly	40	0	0
5. The Wardens pençon yearly	30	0	0
6. The two first Fellows pençon yearly	24	0	0
7. The two second Fellows pençon yearly	20	0	0
8. The 12 poor brothers & Sisters allowance in money at 4 ^d a piece a Day p ann	73	0	0
9. Their 12 gowns once in 2 years at 20 ^s a gown pr annum	6	0	0
		u	

	£	s.	d
10. The 12 poor scholars apparel yearly	30	0	0
11. The six assistants Horse Hire yearly	3	0	0
12. The Thirty Outmembers at Sixpence pr Week a piece yearly	39	0	0
13. Their Gowns at 20 ^s a piece once in two years is yearly .	15	0	0
14. The Eight Servants within the s ^d College together with y ^e Bailiff of the Woods & the Clk of the Accounts being Serv ^{ts} out of the College their Wages altogether shall not exceed the sum of £56 yearly And shall be appointed & paid to them severally according as the Master & Warden shall be able to make the best & the cheapest agreement with them, And if any overplus of the s ^d £56 shall be & Remain yearly, it shall be put to the comon stock and Dividend	56	0	0
15. Augmentation of Dyett upon Feasting Days	10	0	0
16. Four Feasting Days to the poor Brethren & Sisters . . .	6	0	0
Sum Total yearly	660	10	0

So then the Rents & Yearly profits coming into the s^d College being as We are well satisfy'd one year with another eight hundred pounds a year at this present, and there being at this time full one hundred pounds in Stock in the College chest, as the statutes Requires, there will remain after all these Allowances Defrayed over & above the said £660. 10. 0. the sum of £139. 10. 0., which we do Direct & appoint to be disposed as Followeth

1. For placing out Boys to the University & to be Apprentices
y^{ry} £40 0 0
2. For the Reparaçon of Camerwell Highways according to
the statute of the s^d College yearly 10 0 0
3. For Reparaçons & all other Incident charges yearly 89 10 0

And whereas the above mentioned allowances of Money & Gowns to the 30 poor outmembers, and the £10 yearly for Repair of Camerwell Highways have not for these many years been paid, yet being fully satisfy'd that they are Works of Great Charity & publick Benefitt, And that it was the Founder's true Intention they should be paid, We do therefore appoint that between Michlms & Christmas next ensuing The said poor shall have each of them a Gown of the price aforesaid. And that from & after our Lady Day which shall be in the Year of our Lord 1669 They shall each of them weekly have their allowance money of sixpence p week, to be paid them, as the statutes do Direct, and so from year to year ever after to continue, and that at our Lady Day next 1668 They shall pay to the amendment of the Highways between the s^d College & Camerwell £10 to be employed for that good & publick Work as the statutes do Direct & so from year to year ever thereafter to continue the same. We do also further enjoyn That the warden who by statute is to make the college accounts shall yearly make his accounts according to the forementioned heads and particulars, that the accounts may be yearly certain, And that the accounts shall not exceed the s^d proportions, And in case there shall be any thing saved over & above all the above mentioned allowances it shall be put into the common chest, as an addition & Increase of the Common Stock.

We do further enjoyn that if at any time there shall arise any Difference about any thing in the s^d Statutes or in these our Injunctions, Orders & Directions contained That the Master, Warden & Fellows, nor any person or persons therein concerned, presume to advise conclude or do any thing therein without first consulting us or our successors & Receiving our Judgement & Determination therein.

Lastly We do Order & Enjoyn That until a more perfect and better settlement of the s^d College by His Majestys Gracious Favour, Goodness & Authority shall be obtained These our present Directions, orders & Injunctions shall be firmly kept, observed & obeyed by all & every the members of the s^d College & all persons therein concerned, under pain of contempt, if they or any of them shall oppose or fail therein.

Given at our palace at Lambeth under our Archiēpal Seal the Ninth day of October in the year of our Lord 1667, And of our Translation the fifth.

The churchwardens immediately claimed the gowns awarded by these injunctions to the thirty out-members, but the Warden appears to have hesitated to provide them; so on the 21st December 1667 the Archbishop sent the following peremptory letter (MSS. vi. 25):—

S^r and Gent^{rs}. It is my Lord's order and Injunction that the 30 poore shall have their gownds against this Christmas, and the words of y^e Injunction in y^e pticular are plaine, my Lord would have it soe or thinking it most reasonable they should now have gownds being not to receive any money till Lady day 1669. This in [*mutilated*] because of my present hast: if I had not been lately ill of a fitt of the gowte I had come over to you myselfe before this to have acquainted you with the whole, which you have now received under my Lord's seale, to which I doubt not but you will all yield ready compliance. I am, S^r and Gentlemen

you^r very faithfull friend & servant

MILES SMITH.

Lambeth House December 21. 67.

Miles Smith was the Archbishop's secretary.

The churchwardens of St. Saviour's had two days before formally made application for the gowns as follows (MSS. vi. 77):—

Gentlemen. According to y^e order of my Lords Grace of Canterbury w^{ch} wee have received wee desire you to send by this bearer James Lee (one of our Church officers) the ten pound for gownes for M^r Alleyn's poore members in his Almes houses in our parish that they may have them before the winter is too farre spent, and in order thereunto wee have sent you by him a receipt under our hands who are;

your loving friends

WILL CANNON

CHRISTOPHER MARSHALL

} Churchwardens

Dat at S^t Saviours Southwarke
19th of December 1667.

The money was actually paid on the 31st December, the receipts from the churchwardens of the three parishes being preserved at Dulwich. (MSS. vi. 26.)

The Archbishop's Injunctions were issued on the 9th of October 1667, and on the same day the Visitation Commissioners made two Orders of Relaxation, in the first of which they "declare and by these presents" certify that the Master Warden & fellows have fully & perfectly answered "to the saide Articles of visitacon. And their Acco^{ts} have bene by us duely examined & enquired into according to the tenour of our Comission. And moreover that y^e visitacon of the said Colledge by vertue of the said Comission, is by us this day fully compleate & ended." And in the second, premising that "whereas a large retrospeccon into y^e Acco^{ts} of the sd Colledge for about 24 yeares then last past ending in february 1664 hath by the said Com^{rs} bene made & a report thereof to y^e sd L^d Arch B^p amongst other things concerning y^e sd Colledge hath bene delivered in wherewith and with the Integritie of y^e sd Master & Warden in y^e said Acco^{ts} the s^d L^d Arch B^p remaineth fully satisfied," they proceed to order that the seven last accounts be signed by the society; and accordingly on the 4th March 1667/8 these were signed by the Master, Warden, three Fellows, and the Assistants; Mr. Brockett, the preacher, appending to his signature the words "according to the Ar. Bp. order."

The terrier of the College lands which the Master, Warden, and Fellows were ordered to prepare by the 6th article of the Injunctions, was completed on the 6th of June 1668, and a copy of it is still at Dulwich, but in a rather mutilated state (MSS. vi. 29). It is as follows:—

A Terrier of the lands tenements and woods belonging to God's Gift College in Dulwich, finished June y^e 6th 1668.

	Acres.	Perches.	Rents.
..... message			
..... 4 fields called Nappes conteyning 23 Acres .	23		1
John sen ^r the Tyl Kiln of Ambrose.....	1		.....
4 fields & another tenement w th a close adjoin cont ^y in all .	13		13
Richard Dawlman, two parcells of land cont ^y .	4	35	... 5
Roger Hirsnett Esq ^r a Brick Messuage with Barn, Stable & 2 Fields cont. .	15		15
Thos Wingfield a messuage, Barn & Stable & 3 fields cont ^y .	8½	15	.....
W ^m Matthew a messuage, Barn, Stable and 6 Fields cont ^y .	37		.....
Tho ^s Wrench a Messuage Barn etc & 4 fields cont ^y .	18		18
Nich ^s Badger Messuage &c several Fields containing .	19		16
Nich ^s Badger, another Field cont ^y .	12		9
Tho: Hammond Messuag &c & 5 Closes cont ^y .	11		11
Gibb: East 2 Fields cont ^y .	5		5
W ^m Strode, Messuage &c & several parcels of Land cont ^y .	87		62
S ^r John Lenthall, Messuage &c 4 Fields cont ^y .	17		11
Bethin Downes, Messuage & & 2 parcells of L ^d cont ^y .	24		24
Michael Web, Messuage called Dulwich Court &c & several parcells of Land cont. .	129		84

	Acres.	Perches.	Rents.
Tho Blechinden a Messuage &c 2 parcells of Land cont ^y .	5		6
Dan Scrivener a messuage &c & several parcells of Land cont ^y .	14		15
Geo Portman, A messuage & several parcells of Land cont ^y .	45		34
	510½	67	369 15
Tho. Cranwill, Messuage &c & 3 Fields cont .	36		17
Abyjah Perry Messuage &c & 3 cont .	12		12
Favor Barret Messuage a Parcell of L ^d cont .	11		9
John Robinson Messuage &c & a piece of L ^d cont .	2		6
Nich ^s Thurman The Mansion house called Halls Place w th several Fields and parcells of Ground cont .	25		20
Dionis Messuage cont .	36		30
.....ry Raison a small Tenem ^t & Backside .	43		21
			1
Delver a Tenement & Land cont .	11½	roods 3	11
Ralph Crane Miller, The Mill, a House and Close adjoin ^g cont .	1	30	7
		rood 1	
Charles Cox Messuage &c & several parcells of L ^d cont ^y .	17		7 10
..... hard Messuage &c & 6 Parcells of L ^d cont .	26		20
..... a Field cont. .	17		8 10
..... Messuage &c & a piece of L ^d cont .	6		4
Jo Caley Messuage &c & a piece of Land cont .	8		7
Silvester Cutter a piece of Ground cont .	3		3
Rich ^d Wells Two Tenements &c w th Land adjoining cont .	6		8
	264½	30	192

Copyholders of Dulwich.

	Acres.	£.	s.	d.
Prestcoat .	3	0	1	0
Staples .	5	0	2	1
Hathway .	2	0	1	4
Dawlman .	6	0	1	3
	16	0	5	8
	Acres.	Perches.		
	510½	67	369	15
	264½	30	192	
Sum of Acres & Rents .	775	17	561	15

London

Burridge the Messu.....
 11 small tenem^{ts}.....
 Cotton Oaed for his.....

Cross Street being
 W^m Beaven for 22
 of the Fortune p
 W^m Beaven for 2 M
 W^m Beaven for 4 M

Lands in

The Brownings cont
 The Howletts cont

The College Woods.

	Acres.
Vicars Oak Coppice cont	32
Kings Coppice cont	39
Fourty acres Coppice cont	25
Low Cros Coppice cont	32
Peckamins Coppice cont.	44
Giles's Coppice The Park & Ambrook Hill	47
Fifty Acres Coppice	49
	<hr/>
	268
	<hr/>

At the audit on the 4th March 1668/9, the accounts showed £223. 9s. 2d. to the credit of the College, with arrears amounting to £15. This was the last account presented by Raph Alleyn as Warden, for on the 15th March Thomas Alleyn died, and he succeeded him as Master.

CHAPTER VI.

HISTORY OF DULWICH COLLEGE FROM 1669 TO 1686.

THE accession of Raph Alleyn to the Mastership necessitated a new election of Warden, which was held on the 5th April 1669.

The following is the account of the proceedings from the audit book :—

At a court holden at God's guift colledge in Dulwich in the county of Surrey on Monday the fite day of Aprill An° Dni 1669 for the Eleccon of a Warden upon the death of Thomas Alleyn late Master of y° said Colledge.

This court being assembled in the Chappell of the said Colledge after service & sermon ended, did proceed to the Eleccon of a Warden according to their statutes: At wth time (there being one Elias Alleyn and one John Alleyn a surgeon who stood competitors to draw Lotts for y° said place of warden) the Kings ma^{ties} Mandamus under his privy-signet bearing date at Whitehall the third day of Aprill 1669 appearing for & on the behalfe of John Alleyn of S^t Margrett neere Rochester in y° countie of Kent Gent & by him brought & psented to this court for y° said place of Warden, wth said Mandamus followeth in these words viz'

Charles R

Trusty and welbeloved Wee greet you well. Whereas wee have been giuen to understand, that Edward Alleyn by Lres Patents bearing date y° 21th day of June in y° 17th yeare of the raigne of Our Royall Grandfather King James of happy memory founded and erected a colledge in Dulwich in our county of Surrey, consisting of a Lay ffoundacon; and in y° sd Lres patents Power was giuen to make statutes for the s^d colledge not repugnant to y° Royall Prerogative of our said Grandfather, One whereof is, that y° master and warden of y° said Colledge shalbe of his blood & sirname, for euer, if unmarried & found then in being: And whereas Our trusty & welbeloved John Alleyn hath humbly represented unto us, that y° wardenship of that Colledge is become void by y° death of Thomas Alleyn y° last master & that hee y° sd John Alleyn is the next of kin by blood and sirname & thereby as well as to all intents & purposes fitly capable of the same, marriage excepted. Wee haue thought fitt hereby to dispense wth the said John Alleyn in that particular & signifie our pleasure to you, and accordingly Our will & pleasure is & we doe hereby comānd you to elect him y° said John Alleyn Warden of y° sd Colledge of Dulwich, wth all & singular y° rights priuiledges & advantages thereto belonging, any locall statute or consticucion of y° same to y° contrary notwithstanding, wth wth wee are pleased to dispense. And soe wee bid you farewell. Given at our Court at Whitehall y° 3^d day of Aprill 1669 in y° 21th yeare of our Raigne.

By his ma^{ties} Comand ARLINGTON

To our Trusty & welbeloved y° Master Fellowes & Assistants of God's Guift Colledge in Dulwich in our county of Surrey or to any of them

Whereupon this Court seriously debating & deliberating upon his Ma^{ty} said Mandamus together wth the statutes & Ordinances of y^e said Colledge for y^e eleccion of a Warden doth find That in the preamble of y^e said statutes (w^{ch} are agreeable to y^e Lres patents of Incorporacon) y^e Founder of y^e Colledge was not impowered to make any statutes w^{ch} should be repugnant to y^e prerogative Royall. Upon w^{ch} consideracon, Wee the Master ffellowes & Assistants of y^e sd Colledge in Court present In obedience to his Ma^{ty} comands haue elected the said John Alleyn to be Warden of y^e said Colledge, And hee is to enter into a statute of one thousand pounds before y^e Lord Cheife Justice of England to Raph Alleyn Gent M^r of y^e said Colledge & William Carter senior ffellowe thereof on or before the twentieth day of Aprill instant next ensuing y^e date hereof for y^e discharging of his wardenshippe according to the statutes of this colledge & thereupon hee is to bee sworne & admitted: In testimony whereof wee haue hereunto set our hands this fifte day of Aprill 1669.

RAPH ALLEYN Master
 WILLIAM CARTER }
 FFRANCIS BROCKETT } ffellowes
 WILLIAM USBORNE }

GEO HEGINBOTHOM
 EDWARD UNDERWOOD
 JONADAB BATTAM
 W^m WATTS
 THOMAS WELLS
 EDWARD ABBOT } Assistants

And the said John Alleyn, the Warden, did enter into a statute of one thousand pounds, before the Lord Cheife Justice of England according to the Colledge statutes & M^r Carter the senior fellow did giue him his Oath in the Chappell, according to the Statutes.

Mr. John Alleyn, being thus installed Warden, paid nine shillings and sixpence "for bread and beere when he was elected warden 5th Aprill."

Though they obeyed the king's mandate, the Society do not seem to have given the new Warden a very warm welcome, refusing to admit his wife into the College. He appealed to the Visitor, and read the following letter to the Court, at the audit of the 4th September 1669 (MSS. vi. 31):—

Sirs, At the desire of the Warden, I have thought good to let you understand that the Warden after his Election and Admission brought first his goods, and after that his wife wth an intention to reside in y^e college. But says he found some difficulty in y^e first, and as to the last an absolute unwillingness in y^e master unless as to that point the warden should bring some superior mandamus of Authority. Whereupon the Warden made his adresse to my L^d of Canterbury, and from him by me received this Answer. That as he had nothing to doe in the bringing of him to y^e Warden-ship, so he did not thinke fit to have any thing to doe now that he was admitted to y^e bringing in of his Wife [*mutilated*], he declared his opinion that the [*King having*] dispenced wth him being a married man for the place, He thought the other was a necessary consequence, And therefore promised, that if y^e Master would receive the Warden's wife into y^e College, He would neither give y^e Master nor any one else any

trouble in that point, And wth this I did at once my selfe acquaint the Master, And being now agayne requested, doe at this time say the same unto you all. And am

Lambeth September
y^e 2^d. 1669.

S^r y^r very humble serv^t
M. SMYTH.

This letter, which is somewhat mutilated, is endorsed—"This letter was read at a courtt of Assistants Satterd. 4 Sept 1669, brought by Mr. John Alleyn the warden to admit his wife into the Colledge, but nil granted."

At this audit the new Master cleared his accounts as Warden, and showed an amount of £182. 1s. 8d. due to the College. Putting £100 into the treasury chest, he paid over the remaining £82. 1s. 8d. to the Warden.

At this time also William Jenkins, scrivener, formerly a poor scholar, was appointed clerk of the College. He had been authorized by power of attorney from the College to receive rents as far back as 1646 (MSS. vi. 14), but whether because he was then acting as deputy, or because it was not considered wise to make an appointment during the Commonwealth, he had never hitherto been regularly nominated.

On the 19th October in this year the vacancy of the organist's office, which had existed since 1643, was filled up, the Archbishop sending the following letter :—

Sirs, I have heard a very good report of the bearer M^r Forcer, both of his skill in Musick, which may render him very fitt to be your Organist, and of his civill demeanour and sobriety of life, which may recomend him for your society. If therefore you shall chuse him your organist I thinke you will doe yourselves a good office and that which wilbe acceptable to me who am

Your very affectionate freind,

Lambeth House October 19, 1669

GILB: CANT.

For my very good freinds the Master, Warden
and Fellowes of God's guift Colledge at Dulwich.

The records add :—

On Monday the 25th October 1669 M^r John Alleyn, warden of this colledge gave the usuall Oath prescribed in the statutes of the colledge to the above named M^r Francis Forcer and afterwards he was admitted and made a ffellow and Organist of the said Colledge upon his Grace the Lord of Canterbury's letter above written (He being our speciall visitor) without drawing any lott for the said place.

Lucia, the wife of the Warden, had died on the 8th October 1669, and was buried in the chapel on the 12th, and the objections to him on the part of the Society were thus removed ; but difficulties arose elsewhere, for

the Tanner MSS. contain a statement by Sir Robert Wyseman and others to King Charles II., complaining that he (John Alleyn) obtained his mandamus on the statement that the first Master and Warden appointed by the Founder were married men, but that he omitted to state that these appointments were made by the Founder before his statutes were framed, and that, moreover, the Master and Warden so appointed by him received no emoluments during the Founder's lifetime.

Upon this the king issued a new mandamus voiding the election of John Alleyn, and recommending Elias Alleyn. The consequent proceedings of the Society are succinctly recorded in the audit book as follows:—

Whereas at a Court of Assistants held at Gods guift Colledge in Dulwich in the countie of Surrey on Monday y^e 5th of Aprill 1669 M^r John Alleyn (notwithstanding he was then a married man) was elected Warden of this colledge by vertue of the Kings ma^{ty} Letter of dispensacon and mandamus. As by the said Mandate & order of court made thereupon entred into this Register booke may appeare.

And whereas on y^e 4th day of March 1669 at a Court of Assistants then held at y^e said Colledge for the auditing the accompts of the warden, his ma^{ty} was pleased to send another Letter under his privy signet by one Elias Alleyn, declaring thereby all acts & proceedings upon y^e former lre to be void & of none effect, w^{ch} in obedience thereunto was pformed accordingly. A true copy whereof followeth in those words viz^t

Charles R

Trusty and welbeloved. We greet you well. Whereas Elias Alleyn haueing by his humble peticon informed us, that one John Alleyn had unduly obtained our Royall Dispensation to be warden of the colledge of Gods guift in Dulwich w^{ch} in our county of Surrey, contrary to y^e Ordinances & statutes of the said Colledge We were graciously pleased to referre the consideracon of the matter in question unto some Civilians of our counsell learned, Who haue reported unto us, that the said John Alleyn haueing surreptitiously procured our said Dispensation, by concealing such truths of the said Ordinances as were substantially necessary to be made knowne unto us, and suggesting what was not true therein, both our Dispensation & y^e said Alleyn's admittance by vertue thereof are void. We are therefore upon better informacon desirous to redresse & remoue those abuses in the said Colledge w^{ch} haue or may follow upon such fallacious proceedings, and doe accordingly declare Our Dispensation soe procured as aforesaid to be utterly voyd, & of noe effect, hereby revoking y^e same & annulling all Acts done in pursuance thereof. And whereas we haue receaved good testimony of y^e Loyalty of him y^e said Elias Alleyn, & also of his fitness & capacity according to y^e statutes of the Colledge to be chosen Warden thereof, We have thought fitt to recomend him in very particular manner unto you That at your next Audit you elect & admit him Warden of the same. And soe we bid you farewell. Giuen at Our Court at Whitehall y^e first day of March 1669, in the two and twentieth yeare of our Raigne

By his Ma^{ty}'s Comand,

J. TREVOR.

To our Trusty & Welbeloved the Master
Fellows & Assistants of Gods Guift Colledge
in Dulwich in our county of Surrey.

And at a Court of Assistants held at Gods guift Colledge in Dulwich the said 4th of March 1669, upon reading of his Ma^{ty} said Letters then brought by the said Elias Alleyn the whole court resolved to attend y^e Lords Grace of Canterbury (speciall visitor of y^e said Colledge) wth his mat^{ty} said lfe to craue his advice therein who accordingly went, viz^t John Alleyn y^e late Warden, W^m Carter, francis Brockett, ffrancis fforcer ffellowes & Edward Underwood, Nathaniel Mills, W^m Wilson, Michael Hart, Tho. Wells & Edward Abbot y^e 6 Assistants who stating y^e case to his Grace, Hee thereupon (and upon hearing his mat^{ty} Letter read) advised to choose the said Warden againe he being then a single pson and every way qualified for y^e place according to y^e statutes.

Now at a Court of Assistants held at God's guift Colledge in Dulwich on Monday the 21st of March 1669 for the Eleccon of a Warden, upon notice given according to the statutes; appeared the aforesaid John Alleyn, a single pson & next of kinne & of the blood & sirname of the Founder of the Colledge (as he then made it apparent) and desired to be elected Warden of the said Colledge according to y^e Ordinances thereof in y^e case provided there being noe other single pson equall in blood and condicon to stand in competicon wth him: And then & there also appeared y^e aforesaid Elias Alleyn who did not, nor could make it out that he was of the blood but only of the sirname of the Founder. Whereupon the whole Court proceeded to the Election of a Warden and did then & there unanimously elect and choose the aforesaid John Alleyn to be warden of the said Colledge accordingly.

In the following year (26th November 1671), Mr. Forcer, the organist, resigned, and the College allowed the appointment to lapse to the Archbishop, who sent the following letter through his secretary:—

Gentlemen, My Lord hath comāded me to signifie unto you That He understands that one of your ffellowships being y^e Organist's place in your Colledge is at this time void, by the resignation of M^r fforcer and that for want of your supplying y^e place by Lott according to y^e statutes of your Colledge, the Eleccon or nominacon of one for y^e place is devolved unto his Grace. His Grace therefore not being willing to make himselfe a Judge of that profession of Musicke hath deputed you the Master and Warden of y^e said Colledge in his stead to elect choose and admit into y^e said place such person as you in your judgments (you the Warden especially being skilled in musick) shall think fitt for it. And because His Grace hath heard very well of a young man one Albertus Bryan, both for his sobriety of Life and good Proficiency in Musick and skill upon y^e Organ, His Grace therefore recommends him to your consideracon, to be elected into that place if you the Warden shall in your judgment approve him as fitt for it And soe, I rest, your most humble Servant

MILES SMYTH

by his Graces Command.

Lambeth House

Jan 10. 1671/2.

Mr. Albertus Bryan, being found fit, was accordingly admitted on the same day.

The preacher, Mr. George Alleyn, had resigned on the 1st November 1670, but the office was not filled up until the 16th May 1672, when Mr.

Robert Bond was admitted by virtue of an appointment of the Archbishop.

In January 1670 the Warden received the honorary degree of D.C.L. from the University of Oxford. A copy of his Diploma, which is preserved in the Dulwich MSS. (vi. 25), states that the degree is granted, "ex commendatione celsissimi principis Gulielmi Henrici principis Arausionensis."*

Though thus honoured, and firmly established in his Wardenship, Dr. John Alleyn does not appear to have agreed with his colleagues in the College, for in 1673 he seems to have been accused of not bringing into his account a sum of 30s. which he received, and the Archbishop interfered in the matter. On the 15th February 1673/4 he writes the following letter to the Archbishop's secretary, Dr. Thomson :—

S^r. I delivered his graces letter to y^e master yesterday as I was ordered before y^e fellows and I have thought to signifie to you what acception it had, which was with a thunderclapp of ill language and opprobrious terms, with "Sirrah to me" at every word and y^e divvell led me to doe it, with grinning his teeth at me and if he durst for fear of himself, I believe would have struck, wishing that he were but 20 years younger what he would do to me, terming my petition a libell which language is fitter for Billingsgate shrew than for a master of a colledge. &c &c

Thereupon the Archbishop wrote to the Society, asking "What quarrels and differences have arisen between the Governors or any of them and whether have they grown so high as that some of them have forborne to receive y^e holy communion at such times as by your statutes you ought to doe."

At the audit on the 4th March 1673/4 the funds in hand amounted to £35. 2s. 1d., and the Warden was allowed by the Court to take £70 from the £100 deposited in the treasury chest on the 4th September 1669 by Raph Alleyn, in order to send Thomas Richardson of Bishopsgate and William Stuart of Southwark to Queen's College, Cambridge, and to allow them £18 per annum each during the first four, and £20 during the last four years. The remaining £30 was taken for the general use of the College at the succeeding audit in September; and on the 4th March 1675/6 an order was made to send Benjamin Bynes of Southwark also to Queen's College, Cambridge, with the same allowance. Thus, in all, nine boys had been sent to the Universities since the foundation. Of the last three so sent Thomas Richardson graduated B.A. in 1678, William Stuart did not proceed to any degree, and Benjamin Bynes was admitted B.A. in 1679 and M.A. in 1683, and subsequently became a Fellow of Dulwich College.

* On the recommendation of the illustrious Prince William Henry, Prince of Orange (afterwards William III.), who also received the degree of D.C.L. on the same day.

The Injunctions of Archbishop Sheldon had not been received by the Fellows without demur, the points especially objected to being the payments to the thirty out-members, the allowance of a horse and of servants to the Master and Warden, and the payment of £10 per annum for the repairs to the highways. So early as the 5th February 1668 the following protest was entered in the weekly account-book of the Warden :—"Memorandum that I Roger Bailly have subscribed to an allowance for the M^r and "Wardens men onely by reason of my L^d of Canterbury (our visitors) "injunctions in that point. Upon the same ground I William Carter have "also subscribed to the same allowance: and I Francis Brockett et sic de "cæteris supra et infra." *

They afterwards became bolder, and strongly maintained that the Archbishop had no power to make these orders, especially that enjoining the payments of pensions to the thirty out-members, which they contended was contrary to the deed of uses, and consequently not within his rights as Visitor. About this time they also refused to sign the Warden's accounts containing these payments. The Warden, therefore, had for some time past allowed them to fall in arrear; so the churchwardens appealed to the Archbishop, who appointed a new Commission to visit the College.

This Commission, on the 2nd April 1677, made the following order :—

Monday the Second day of Aprill Anno Domini 1677 in the dyneing roome within the Doctors Commons London before the right worpⁿ S^r Robert Wiseman Knight, George Cheete Esq Robert Thompson Doctor of Lawes John Reading & Peter Rich Esq^{rs} Comissioners (amongst others) appointed and authorized by the most Reverend ffather in God Gilbert by Divine Providence Lord ArchBipp of Canterbury his Grace Primate of all England & Metropolitan to visitt Gods guift Colledge, vulgarly called Dullw^{ch} Colledge in the county of Surrey of the ffoundacon of Edward Alleyn esquire present Thomas Tylott notary Publique.

Which day the said Comissioners did order the Churchwardens of the respective parishes of S^t Giles Cripplegate, S^t Buttolph's Bishopsgate London, and of S^t Saviours in the Burrough of Southwarke to goe to the aforesaid God's guift Colledge and to demand of John Alleyn Doctor of Lawes and present warden thereof, and to receive of him the sume of Eighty eight pounds and ten shillings for y^e arreares of money and Gownes due to the poore of the said parishes called the Outmembers of the said Colledge, and uppon receipt of the said money to give to the said warden their acquittances according to the usuall forme, and the warden shall haue it allowed to him in his present Accompts, and upon paying of it for the future, it shall be allowed him in his future Accompts, And the warden here present is to take notice thereof and to haue a copy of this order.

The Warden at first refused to comply with this order, because the

* Roger Bailly, usher, who, however, is stated in the Register to have resigned 25th March 1666/7; William Carter, preacher; and Francis Brockett, schoolmaster. The organist's place was vacant.

Fellows still contended against its legality, and refused to sign his accounts; but on the 23rd of June he paid the money and wrote an explanatory letter to the Archbishop's secrètary. The Archbishop replied as follows:—

Croydon, June 30. 1677.

Mr Warden

I have perus'd the contents of your Letter to my secretary dated y^e 23^d instant and by the accompt I receive therein, and from some of my Comissioners I am better satisfied then formerly that the Late quarrell with the out parishes concerning the pensions due to their poore, and established by my late Injunçcons proceeded not altogether from you, but cheiffly from the selfe conceit of some others, whoe (it appeares) have Lesse reason and ability to undertake such a designe, a project indeed, both contrary to their oathes, and in my opinion inconsistent with the rules of Charity and good conscience. My comissioners haue found y^e money due, not only in pursuance of the Injunçcons, but also the true will and meaning of your ffounder, they have enjoyned the payment, and accordingly there is the generall submission of your Colledge, except one refractory person, whom I am inform'd they haue admonish'd, and when I shall receive a compleat accompt of the visitation, I make noe question but I shall convince him also, that he is not wiser then his fellowes only because he is more presumptuous: Accordingly you haue made payment (as I understand) and herewith the master hath concurr'd and signed your booke, I would not haue you imagine that I should dissalow of this Act, which I haue alwayes thought soe reasonable, I have promised you my assistance, and if you think the security of my word, and the masters subscription not sufficient to saue you harmles, you shall haue my confirmation of your accounts as to this point under my hand. It may possibly be equivalent either to the number or credit of the Refusers. Though in the meane time pray take care to certifie the Commissioners, when they meet next, that you haue tendred the booke to each ffellow, to be signed as formerly, and that there are particular members (by name) whoe refuse. And for the future I doe hereby order and appoint that unless each person concern'd doe signe the accompts, with allowance of this payment to the poore of y^e out parishes as formerly, and as is required by the statutes of your Colledge, your founders intention, my late Injunçcons, and y^e Resolution of my Comissioners this Last visitation, that you forbear to pay him his pension untill such time as he shall thinck fitt to comply with what I require hereby, and what y^e rest haue submitted unto before the Comissioners, withall, I think it necessary that publique Intimaçon hereof should be given to y^e end that none hereafter may pretend ignorance for an excuse: I haue considered of y^e other pte of your Letter, & haue given my secretary instructions to discourse wth you thereupon, when you haue soe don I shall doe what is fitting, being oblig'd to promote y^e wellfare of your society, and as I am,

Your very Loveing friend

GILB: CANT.

In accordance with the Archbishop's suggestion, the accounts were made up to the 10th August, and on the 18th His Grace wrote at the foot of them,

"I do allow and approve of this accompt.

GILB. CANT."

At the subsequent audit on the 4th September, the Master, Warden,

Churchwardens, and Mr. Pierson, the organist, signed after the Archbishop's approval.

The organist, Mr. Pierson, is stated in the Register to have resigned on the 15th August 1677, which is inconsistent with his signing accounts on the 4th September. He may, however, have been induced by the Master and Warden to sign them before he left.

The Fellows now remaining were James Alleyn, preacher, who had been elected on the 5th July 1677, *vice* Robert Bond resigned; Francis Brockett, schoolmaster; and William Usborn, usher. This last, however, died on the 23rd August, and was replaced on the 2nd October by Mr. John Blackstone; the organist's place not being filled up until the 1st May 1678.

Mr. Brockett offered to sign the accounts under the following protest:—

Memorand: That I Francis Brockett by setting my hand to these and the following accompts of the warden of the colledge, do consent only to these pticulars thereof which are just and Lawfull, intending not thereby to barr myselfe, or any other pson from making at any time a Legall claime to any just right or dues Legally given by y^e founder of y^e Colledge to myselfe or any other member of y^e colledge. And particularly not to bind myself from taking excepcions to the allowance lately made to y^e out members, or any other, that are contrary to y^e foundacon and statutes of y^e colledge when occasion shall seame.

It may be noted in passing that Mr. Brockett had at this time another trouble on his hands, for there exists at Dulwich a warrant dated 27th October 1677, signed by Richard Raynsford, ordering his arrest on the complaint of Thomas Bowdler of Camberwell, "who has made oath that he doth goe in feare of loosing his life or receiving some bodily harme by ffancis Brockett of Dulwich Clerk, because the said Brockett hath caused the said deponent to be violently assaulted and wounded by sewall of his schollers and the said Brockett hath threatened to teare the said Deponent in peeeces or words to that effect."

Archbishop Sheldon died on the 9th November 1677, and his successor, Dr. William Sancroft, was consecrated on the 27th January 1678. A copy of Mr. Brockett's protest was sent to the new Archbishop, who wrote as follows:—

I never approved of this forme of subscription wth a limitation w^{ch} my Predecessors Injuncons require without it, to which Injuncons, while they continue in force, I have often told M^r Brockett, he is bound to pay his obedience or to undergoe the penaltie.

W. CANT.

Dr. John Alleyn seems to have thought it desirable to be recommended to the new Visitor, the Tanner MSS. containing the following letter to the Archbishop from his relative Dr. Peter Mew, Bishop of Bath and Wells, dated 28th January 1677/8:—

My Lord. I have endeavoured to pay my duty to you in person and to congratulate your own honour and the Churches happiness in y^r promotion to y^e government of it w^{ch} I now do with great zeal and affection. Among other places which are under your care y^e coll of Dulwich will I fear give you as it did your predecessor a great deal of trouble, for I hear they are embroyling themselves in their old disputes. The warden is a person, whom I have known long and had allways a fair esteem among good men and when y^r Lordship understands y^e affairs of y^e place I am confident you will find y^r hee hath don nothing w^{ch} may undeserve it and I am no further his friend yⁿ hee shall appear just. I am

Y^r L^dships in all duty

P. BATH & WELLS.

When this letter was written John Alleyn was no longer Warden but Master; Raph Alleyn having died on the 24th January 1677/8, and John Alleyn consequently becoming Master the next day.*

The court to elect the new Warden was held on the 11th February 1677/8, and the following is the record of the proceedings from the audit book:—

At a Court of Assistants held at God's guift Colledge in Dulwich on Monday the 11th of ffebruary 1677 for the elecon of a warden upon the death of Raph Alleyn late master of the said Colledge.

The said Court being assembled in the Chappell of the said Colledge (after service & sermon ended) did proceed to the Elecon of a Warden according to their statutes. At w^{ch} time the King's Mandamus being brought on the behalfe of M^r James Alleyn senior ffellow of this Colledge to be elected warden thereof, a copy whereof followeth in these words viz^t.

Charles R

Trusty & welbeloved, Wee greet you well. Whereas wee haue been giuen to understand that y^e place of warden of your Colledge is at present void by y^e removall of y^e late warden to be master thereof, And whereas James Alleyn senior Fellow of y^e s^d Colledge hath been represented unto us as a fitt pson to succeed in y^e s^d place of warden, he being not only a single pson of y^e name of y^e Founder, but by reason of his standing in y^e s^d Colledge well acquainted wth the statutes & Orders thereof. We haue thought fitt hereby to signifie our pleasure unto you Requiring that you choose & admitt the said James Alleyn unto the sd place of Warden. To hold & enjoy the same wth all ffees rights & priviledges thereunto belonging, in as full & ample manner as the late Warden or any other Warden of the said Colledge hath held & enjoyed y^e same. And so wee bid you farewell. Giuen at our Court at Whitehall the 26th day of January 1677 in 29th yeare of Our Raigne.

By his Ma^{ties} Comand.

HENRY COVENTRY.

To Our trusty & welbeloved the Master & Fellowes of God's Guift Colledge in Dulwich in our County of Surrey & to y^e Assistants or whom it shall concerne

* Dr. John Alleyn used a seal on which his own arms were impaled with those of the College, following in this the custom of bishops in England.

Upon reading of w^{ch} mandamus (the Master of y^e Colledge only declaring for it) the Assistants taking it into their consideracon according to y^e Statutes of y^e Colledge to w^{ch} they are sworn did (notwithstanding) by a certain writing under all their hands & seales elect Elias Alleyn to be warden of the Colledge, there being none other then appearing qualified according to the Statutes, the ffellowes then present not concerning themselves on either side. After w^{ch} elecccon, the said Elias Alleyn before his admission as the statutes of the Colledge doe appoint did enter into a statute of one thousand pounds before the Lord Cheife Justice North, bearing date the 15th day of february 1677. And upon Saturday the 16th of february following he tendred the said statute in the Chappell of the Colledge to the master ffellowes & Assistants then present, w^{ch} was accepted of & he then had his admission accordingly & was sworn by the said James Alleyn Senior ffellow according to the Statutes of y^e said Colledge.

On the 1st May 1678, Mr. Charles Garraway was admitted organist, apparently by the Archbishop's order, though there is no record thereof, and he signed the accounts on the 4th September. Mr. Brockett, the schoolmaster, also signed them, adding his original protest, to which the Master subjoined the Archbishop's remarks thereon as already given (p. 167).

The Master, though he supported the claim of James Alleyn, the preacher, to the wardenship at the recent election, seems speedily to have discovered that he was mistaken in so doing, for on the 28th January 1678/9 he reported to the Visitor—1. That James Alleyn, senior Fellow and minister, is a notorious, scandalous drunkard, both on Sundays and week days. 2. That he is a notorious whoremaster, and that several complaints have been made of him—e.g. Mrs. Phillips complained of his rude behaviour, that he would have lyed with her if she had not repulsed him. Elizabeth Oxley declared on the 18th December that she was with child by him, and that she had been so ever since April last, and that he and none but he was the father of her child; and she further declared that he had severall times y^e carnall use of her body both in y^e Colledge and elsewhere.

James Alleyn, in reply to this, presented a petition to the Archbishop, in which he says :—

That your petitioner, to his own shame, but with a true and penitent heart, doth confess that he hath not lived so exemplarily as he ought to have done, and he doth faithfully promise your Grace *verbo sacerdotis* to reform his life and conversation for y^e future . . . and that your petitioner may have some time granted him to remove himself, that he may not have y^e scandall of an expulsion.

The Archbishop seems to have acceded to this request, as the Register records that James Alleyn resigned on the 11th February 1678/9.

At the audit on the 4th March 1678/9, Mr. Francis Brockett, who had been for some time deprived of his stipend for refusing to sign the accounts,

and thereby acknowledge the claim of the thirty out-members, was expelled by the following order :—

It is further ordered, that whereas by an order from the Late Lord ArchBipp (*sic*) of Canterbury his Grace visitor of this Colledge, bearing date y^e 30th day of June 1677 amongst other things it was thereby ordered that unlesse all psons concerned in y^e signing of y^e wardens accounts, with y^e allowance of y^e money payable to y^e poore out-members as formerly, and as it is required by his said Graces Injun^ccons, that their severall pensions should be stopt untill such time as they should complye with what his Grace did thereby require. And whereas M^r. ffrancis Brockett one of y^e ffellowes of this Colledge did then refuse to signe y^e said accounts, (wth hath been y^e usuall custome for 50 yeares) in contempt of his Graces said order, and hath still continued from time to time refusing to signe them though severall times required, which wth all of his being at y^e last Court of Assistants questioned upon y^e complaint of the warden, and his Answer heard, wth was that he had appealed to his now Grace, & that he had promised to determine it, did then occasion a stopp of any further proceedings therein, since which time his Grace hath severall times heard, and considered of what could be alleadged against his Predecessors order and Injun^ccons, and hath fully determined y^e same under his hand in writing as also by an express in writing by his comand from his secretary, as may appeare upon record entred in the Register book of this colledge for such purposes, which this court takeing againe into considera^con, and y^e severall affronts complained of by y^e warden since y^e last court concerning y^e same, and for prevention of further inconvenience that may arise, and be occasioned by such ill example to y^e prejudice of y^e peace of y^e Colledge for the future, haue thought fitt with a full consent to expell him the said ffrancis Brockett from his place and ffellowship, and from this day wee declare his said place void, and order to proceed to y^e Eleccion of another in his roome according to the time limited by y^e statutes To wth wee have set our hands y^e day & yeare abovesaid.

Mr. Brockett thereupon made a full submission to the Archbishop, whose secretary wrote to the Master as follows :—

Lambeth House, March 19th 1678/9

S^r M^r Brockett has bin here with great submission to desire my Lord's Grace's order for his restoration to his place, he promises a perfect and entire compliance for the future both to the Injun^ccons, accounts, and other Rules of the Founder, Visitor, and Colledge. His expulsion being an Act done by the Publique Audit, and his Grace haueing noe notice of it till it was done, he doeth not think fitt to interpose any opinion, or direction therein, But if I mistake not, when you were here last, all that you Labour'd att, was the Regula^con of the Colledge and not the punishment of the person, provided he gaue evidence of his Inclina^con to a conformity with the rest of his brethren, this he is now most ready to undertake and to acknowledge his error in such manner as you shall think fitt to prescribe he has liu'd long amongst you & upon this occasion may haue (and I doubt not but he will haue) a truer sense of his condicon and your kindnesse to him, I conceive it may be more easye for you to rectifie y^e misunderstandings of an old ffellow member, then to breed up a new one, and it will giue y^e world an instance of your Charity, and desire to liue in unity & peace if you readmitt or new elect M^r Brockett, when by those acts he

hath purg'd his contempt and taken away y^e foundacon of the complaint, pray let me know your resolucon in a line or two, for I am to satisfie a considerable friend of mine whoe engageth me to use the Little interest I haue in your Colledge on his behalfe, and truly I would oblige that person as much as I could, and accordingly desire yours and wardens favour for him. If I can be soe happy as to reconcile you upon this point, I shall endeavour & be in very good hope to heare of no further animositie amongst you as long as I haue any concerne in this place, and whilst I haue, you shall always comānd me as

Your affectionate friend & servant

ROB^t. THOMPSON.

When I mention Restoring, I take his arreares as y^e consequence of that, and I suppose they were never denyed him when he undertooke to subscribe wthout reseruacon as he does now.

Whether influenced by this letter or by doubts as to the legality of the expulsion, the Society permitted Mr. Brockett to remain in the College; but at the next audit on the 4th September 1679, Elias Alleyn the Warden and the six Assistants signed a confirmation of the previous order, concluding as follows :—

And whereas the s^d M^r Brockett hath not to this day conformed to y^e s^d order of expulsion, but still contynues his place & imployment in the colledge in contempt of y^e s^d order of expulcon & power of y^e s^d court, It is now thought fitt & soe ordered by this court, that they doe adhere to their former order of expulcon of the said M^r Brockett & that from henceforth he be not receaved to lodge, diet or teach schoole any longer in the said colledge.

The College then put the case before Sergeant Maynard, and obtained from him an opinion as follows :—

The expulsion is unlawfull his remedy is to haue a writt of Restitution from the Kings Bench.

And thereupon the Master made an entry in the audit book immediately below the above order, in these words :—

The master and ffellowes gave noe consent to the order above entred against M^r Brockett, but protested against it the whole matter being illegall as by the opinion of Serg^t Maynard appeared.

JOHN ALLEYN.

Mr. Brockett, therefore, being supported by the majority of the Society, remained at the College, though his pension was still withheld.

The case of Mr. Brockett was not the only subject on which the Warden was at variance with the rest of the Society, for the following entry is made in the Register, at the end of the book :—

Orders made at the Private Sitzings of the Master, Warden, and Fellows of God's Guift Colledge in Dullwich.

Whereas on Saturday y^e 21 of Febr 1678³ the master and fellowes according to the statutes and the usuall custome of the Colledge, did meet in the Parlour of the said Colledge to hear and examine the accounts of the Warden of the said Colledge, and the said Master and Fellowes did then and there examine the accounts of the said Warden and by their examination of the said Warden's account, did find that y^e said Warden by his accounts had defrauded y^e said Colledge of the sum of ten pounds, and the said Master and Fellowes did then and there adjudge the said fraud to be a willfull act of the said Warden and wheras the said Warden being required by the said Master in writing to appear at the Publick reading of the Colledge statutes on the first of March following, further to answer to the crimes laid to his charge or for default thereof sentence should pass against him. And the said Warden refusing to appear according to the said summons the Master and Fellowes do (according as it is required by the said statutes) punish and amerce the said Warden the full sum of twenty pounds of lawfull money of England, to be paid by the said Warden to the master of the said Colledge, for the use of the said Colledge. In witness whereof we have hereunto set our hands this first day of March 1678⁹.

JOHN ALLEYN

JOSEPH CHURCH

FRANCIS BROCKETT

JOHN BLACKSTONE

CHARLES GARRAWAY.

On the next page is the following :—

Whereas on the first of March 1678⁸ it was ordered by the Master and Fellowes of this Colledge, that the Warden of the said Colledge should be punished and amerced the sum of twenty pounds (as the statutes of the Colledge do require) for willfully defrauding the Colledge of the sum of ten pounds in his accounts, and wheras the said Warden surreptitiously without the consent of the Master and Fellowes of the said Colledge did on y^e 12 of Sept. 1679 take the Register book of the Colledge accounts out of the Treasury chamber of the said Colledge, and it is adjudged by the said Master and Fellowes that he did fraudulently Raze out of the said Register the sum of ten pounds, that the Master of the said Colledge (whom the said Statutes do impower and authorize to punish the members of the said Colledge offending against the Statutes thereof) may have full power to demand and recover the said penalty of twenty pounds, and that the said Colledge may the better be secured for the future against such abuses and frauds of the said Warden, the said Master and Fellowes do suspend y^e said Warden from receiving or disbursing any of the Colledge revenues or profits, till such time as the said Warden shall pay to the Colledge the said sum of twenty pounds and give such further security to the said Colledge, for his future honesty in discharge of his place, as the said Master and Fellowes shall thinke fitt and allow of. Witness our hands this first day of March 1678⁹.

JOHN ALLEYN

JOSEPH CHURCH

FRANCIS BROCKETT

JOHN BLACKSTONE

CHARLES GARRAWAY.

At the audit on the succeeding 4th March, the Warden did not appear, and the following resolution was entered in the books:—

Whereas by a court held at this Colledge the 4th of March 1678⁹ in the Auditt chamber of the said Colledge by the Master Warden and ffellows thereof the said Warden being then required to appeare at the said Court at the Auditing of the said Accounts refused to appeare as it was required, whereupon the said Court did Auditt the said accounts (the said warden being absent) but the said Court did not thinke fitt to signe the said Wardens accounts by reason that it was plainly discerned and found that the sume of ten pounds was razed out of the Colledge Register booke of his last half yeares accounts, soe that whereas at an auditt kept in September 4, 1679 there was the sume of thirty pounds remaining in the said Wardens hands: by this razure there appeared to be but the sume of twenty pounds whereby the Colledge was wronged the full sume of ten pounds.

JOHN ALLEYN
JOSEPH CHURCH
FFRANCIS BROCKETT
JOHN BLACKSTONE
CHARLES GARRAWAY.

The College then had recourse to the Archbishop for advice; and his Grace, after some consideration, decreed that the election of Elias Alleyn was void *ab initio*, by the following instrument:—

Thursday the seaventeenth day of June Anno Dni 1680 before the most Reverend father in God William by Divine Providence Lord Archbishopp of Canterbury Primate of all England and metropolitan in the great dining Roome within his Palace of Lambeth, present Thomas Tillott, notary Publique.

Which day his Grace declared that Elias Alleyn the present warden of the Colledge of Dullwich called Gods guift Colledge was not duly elected, and that his election was void. Ordered that the master ffellowes and assistants of the said Colledge doe goe to the new election of a warden and that they proceed Legally, and according to the Statutes of the ffounder in their said election.

It was ordered by his Grace that his pention then due should be paid when he should demand it.

Accordingly a new election was held on the 5th July, and the following is the record of the proceedings:—

Whereas on the 17th day of June 1680 The most Reverend ffather in God William by Divine providence Lord Archbishop of Canterbury his Grace Primate of all England and Metropolitan Visitor of God's guift Colledge in Dullwich in the county of Surrey did declare that Elias Alleyn the then warden of the said Colledge was not duely elected and that his election was void, and did then order the master ffellowes and assistants of the said Colledge should goe to a new election of a warden and that they should proceed legally and according to the statutes of the ffounder in the said election. In obedience to which order the master of the said Colledge according to the ffounders statutes did send to the said assistants to publish the said order in the severall parishes the next Sunday after the said order was made but the said assistants would not suffer the said order to be published at the time appointed

by the ffounders statutes And on Monday the 5th of July next after the date of the said order the master ffellowes and assistants did according to the said order and the ffounders statutes appeare in the chappell of the said Colledge to elect a new warden, and after service and sermon ended the said assistants being desired to proceed to the election according to the said order, M^r Kentish one of the said Assistants declared that they had a warden already, and that they saw noe reason that they should proceed to a new election, and the said Master of the Colledge declaring that he would proceed to an election in obedience to the said order, the said Assistants with the said Elias Alleyn withdrew, and after severall statutes of the ffounder (in order to a new election) being read, the master sent the clerke of the Colledge to the said Assistants to know whether they would (in obedience to the said order) appear at the said Election but they refused to appeare and answered by the said Clerke that they left the Master and ffellows to their liberty to doe as they pleased, whereupon the said Master and ffellows proceeded to a new election according to the ffounders statutes and did chuse two persons out of five which stood to be elected to draw lotts for the said wardens place and the person which drew the lott wherein the words Gods guift were written was one M^r Richard Alleyn of Chigwell in the County of Essex who hath promised within ten daies to bring such security for his fidelity as shall be accepted by the Master and ffellowes of the said Colledge and John Alleyn who drew the blank lott received then of the Master one pound seaven shillings and six pence for the vacant time of the wardens place according to the ffounders statutes.

DAVID JENKINS Clerke.

The said warden did enter into a statute of 1000^{li} according to the statutes dated 17th day of July 1680, and was admitted by the Master and ffellowes after he had taken his oath upon Friday the 23th of July 1680, and conducted to his seate in the Chappell and to the dore of his lodgeing in the colledge and was pronounced warden in the Chappell in the presence of the whole corporaçon in confidence that he would performe his promise above menconed which was the only inducement for his eleccion, & admission. Testified by me

JOHN ALLEYN, Mag^r.

The persons which he named and gaue under his hand in writing to his Grace our visitor were, John Wrath of Lowton Esqu^r and John Pennington of Chigwell Esq^r in com. Essex.

JOHN ALLEYN.

On the 16th September 1680, Mr. Brockett, the schoolmaster, who had so persistently refused to sign the accounts, died at the College, and was buried in St. Saviour's Church on the 18th September. His father applied, as his executor, for the payment of his suspended pension, and the Archbishop advising that this request should be granted, the amount was paid on the 2nd February 1680/1. His Grace on the 5th of the same month wrote a letter recommending Mr. Oldham to succeed Mr. Brockett, but he was not admitted.

During the wardenship of Elias Alleyn there had been much quarrelling in the College. The Master complained to the Archbishop "That the schoolmaster hath a curateship in London and is absent two or three dayes ; that the ffellowes combine together and grant each other leave of

“ absence and then in voting they combine so as to outvote the Master and Warden ; that the inhabitant’s children ought to be taught freely, paying only for entrance and two shillings a year, which the Schoolmaster refuseth unless he also is paid ; a caterer cheated the Colledge and the Master gave orders that he should goe noe more to markett. The fellowes in the Master’s absence voted that he should, and the same day he ran away with the money £3 ; that M^r Mawde the senior fellow called the master a knave, and an arrant cheating knave.”

On the other hand, the Master himself was seriously accused of being married to Mrs. Nye, a widow, the daughter of a Mr. Peter Chamberlain, a surgeon practising in the neighbourhood.

The Archbishop issued another Commission of Visitation, which attended at the College on the 21st April 1680, and amongst the articles or questions administered to the Society was the following :—

Whether are the said Master, Warden and fellowes single and unmarried persons. More particularly you are to declare whether you do not know, beleive or have heard that John Alleyn the present master was a married person at the time of his admission to the Wardenship of the said Colledge, and whether you do not know, beleive and have heard it publicly and credibly reported that the said John Alleyn is now a married person and soe commonly reported to be within the said parish of Dulwich and other places adjacent and are there not probable and vehement suspicions for the ground of such report.

The accusers sought industriously for proof of this allegation, and Mrs. Nye’s father complained of them to the Archbishop in the following letter :—

21 July 1680.

My Lord, I understand that I have lately been traduced to your grace as a Jew by a combination of Alehouse Gossips and some mechanick churchwardens with their pettyfogging Solicitor. And to countenance their conspiring against me and my family have made bold with your Grace’s name. One Barber using it to suborn witnesses against my daughter affirming your Grace would very well reward those that should testifie against her. To be a Jew as the Apostle writes to the Romans is a crown and an honour to a Christian. But as they intended it in opposition to the Name and Faith of Jesus Christ I abhor them. Nor can all they are worth make Reparation for the slander and scandal and for the prejudice they do me in my practice. If therefore your Grace would give me leave to compell them before your Grace to make good their words I desire no better judge to approve myself as good a Christian as the 19th article of the Church of England can require, which none of my dirty mouthed adversaries can prove themselves And I shall remain

Your Grace’s humble servant

PETER CHAMBERLAIN.

On the 30th August 1681 the Archbishop, probably not without reference to Mrs. Nye, “gave expresse comand to the Master that noe

“ Woman whatsoever should come to eate at the Comon table with y^e “ Society.”

On the 3rd September 1681 the Warden and all the Fellows, except Mr. Garraway, the organist, presented the following :—

We whose names are here subscribed of the Society of Dulwich College being by your Grace hereunto required, do declare that we think D^r John Alleyn present master married or contracted either of which is expressly contrary to the statutes and the form of the Master's Oath. The reasons of such our suspicions being as follows : We have observed a constant intimate correspondence between him and Madame Nye, viz^t Haveing his lodging with her at London and providing her lodgings at Dulwich and when she waiteth upon the Duchess of Albermarle at New Hall sending his man particularly to see her, who gave some of us a description of the place. We have observed that he hath ordinarily sent his man four or five times a week and the Caterer twice or thrice with messages to her when in London. The three weekes she was at Dulwich she was observed to be at his chambers or he at hers morning and night.

Signed RICHARD ALLEYN
 JOHN MAWDE
 JOHN BLACKBURNE
 JOHN BLACKSTONE.

Mr. Garraway contented himself with reporting “ that he has heard .. “ that the Master and Warden are married, but they say they are not.”

The persons whom Mr. Chamberlain so strongly denounced produced the following affidavits :—

Affidavits of Mary Lewis,* Grevill Lewis and Anne Barber that D^r John Alleyn Master of Dulwich College hath had two children by M^{rs} Sarah Nye Widdow, she having lodged close to the College and had her provision from it since 1677, &c. And that D^r John Alleyn had said that if his marriage to M^{rs} Nye was discovered he would lead his said wife through the College and owne her to be his wife in the face of the whole College.

Besides this contemporary evidence, there is amongst the additional MSS. a deposition, made 13th January 1691/2, by John Hoyle, the Clerk of the College, in these words :—

This Deponent saith he did know D^r John Allen one of the former masters of the said colledge. And this Dept sayth he hath heard and beleives that the said D^r John Allen was marryed to one M^{rs} Nye a widdow (as this Dept hath been Informed by the Mother in Law of the said M^{rs} Nye and others of her relaçons) and that they were privately marryed by a nonconformist Minister, and this Deponent further deposes that he hath been credibly Informed and verily beleives that the said D^r John Allen was marryed a great part of the tyme while he was Master of the s^d College And sayes he had severall children by the said M^{rs} Nye who are some of

* Grevill Lewis resided at The Feathers, in Dulwich, which house was afterwards called The Bell. MSS. vi. 38, Hume MSS., and additional MSS.

them alive and go by his name (as does also his said widdowe) who is now or very lately was living. And this Deponent saith he knowes very well that even in his the Dept's tyme there was great endeavours used to find out and prove the marriage of the said Dr John Allen while he was actually master of the said College and that the same was in order to remove or Expell him out of the said Colledge.

The Archbishop either considered the case not proven, or had other more serious matters to attend to, for the Visitation had no result, and Dr. Alleyn continued to be Master until his death.

On the 20th January 1681/2, the schoolmaster, Mr. Blackburne, who had been complained of by the Master, obtained leave from the Archbishop to "execute his employment in London," Mr. Blackstone, the usher, being allowed to read for him.

Elias Alleyn since his ejectment had not ceased his endeavours to recover his position as Warden, and at the audit on the 4th September he produced a royal order made upon a petition which he had presented. The order, as it reached the College, was in these terms:—

At the Court at Windsor 21 August 1682 His Ma^{ty} is graciously pleased to reffer this Peticon to the Master ffellows and assistants of God's Guift Colledge in Dulwich in Surrey that were when the Peticoner was elected and admitted as also when dispossessed of his place of warden, and to the now Master ffellows and assistants of the said Colledge or the major part of them there present upon the Audit day to be held the 4th of September next, after morning prayer there to summon both parties before them and to examine the allegacons therein menconed and if it shall appeare the Peticoner hath been illegally and unjustly displaced That then his Ma^{ty} pleasure is that the Peticoner be Readmitted and Reinstated into his said office and place of warden as formerly or else to report their objections. And his ma^{ty} thereupon will further declare his Royall pleasure.

CHARLES MORLEY.

Accordingly, on the 4th of September, the Master, John Mawde the preacher, and John Blackstone the usher (the schoolmaster, Mr. Blackburne, being probably ill, as he died on the 19th September), with twelve past and present churchwardens, met and unanimously (John Mawde only excepted) agreed, "That the said Elias Alleyn late warden of the Colledge "was duely and legally elected and admitted at that time accordingly. "And was at the time above written readmitted and reinstated in the "same office accordingly."

The Archbishop, who apparently had been consulted by the King before any order was made upon Elias Alleyn's petition, was astonished at this proceeding, which was reported to him by Richard Alleyn, and on the 6th September he sent the following letter to the College:—

Lambeth House Sept. 6. 1682.

S^r. My lords grace being informed, that by vertue of a late reference procur'd from his ma^{ty} the Assistants and some other members of your colledge haue thought

fitt to revoke his order made concerning Elias Alleyn's eleccion, and that without any notice, or intimation of their reasons for soe doing, although his Grace had formerly given his ma^{tie} particular satisfaccion, under his hand upon Elias Alleyns peticon. His Grace is desirous to know upon what suggestions this new reference was obtained and upon supposal that either y^e original or a true copie of it remains in your colledge as being y^e warrant that is to iustify this Act, and new method of proceeding, This bearer is purposely sent unto you, that he may haue copies both of the said Elias Alleyn's peticon and y^e order made thereupon that he may be ready to giue a further account of his former judgement, which it seemes has beene as easily condemned as I was arraigned, I am by his Graces command to require this from you and the fellowes, and expect an account of your ready compliance accordingly

Your affectionate friend

ROBERT THOMPSON.

ffor D^r Alleyn mag^{ter} of Dullwich Colledge.

The documents were of course sent, and on the 18th September the Archbishop wrote again as follows:—

Lambeth house Sept. 18. 1682.

S^r. By my Lords direccions you were pleased to send a copy of the Reference from his ma^{tie} upon Elias Alleyn's peticon attested under your hand: Upon the first perusall of it the forme seemed very strange, and upon comparing of it with the master of Requests booke of entries it appeares stranger, as you may perceive by this copie w^{ch} y^e warden will shew you, both you and the assistants are grossly impos'd upon, there being nothing in the originall y^e will give any colourable warrant to the late proceedings. It is therefore his Grace's desire, that both for your justification and theirs he may haue a sight of y^e originall reference giuen into, and entred in your Colledge Register, and as soone as may be with conveniency. It may be a meanes to place y^e counterfeit where it ought to be and prevent an enquiry and prosecution from the office of Requests which may prove troublesome even to those whoe are unconcern'd, unlesse the principal actor in this contrivance be not timely discovered.

I am

Your affectionate friend

For D^r Alleyn M^r of Dullw^{ch} Colledge

ROB^t THOMPSON.

It thus appeared that the order produced by Elias Alleyn was a forgery, the true reference as it was entered in the book of entries of the Master of Requests being in these words—

At the Court at Windsor August 21th. 1682

His Ma^{tie} is graciously pleased to referre this Peticon to the Master fellows and Assistants of Gods Guift Colledge in Dullwich that were when the Peticoner was elected warden, and to those that were when he was disposses't his place; as also to the now Master fellows & Assistants of the said Colledge or the major part of them to summon both parties before them upon the audit day to be held the 4th of September next after morning prayer and examine the Allegacons of the said Peticon: and to Report in short to his Ma^{tie} their opinions of the case and his ma^{tie} will thereupon further declare his Royall pleasure.

To Charles Morley Esq^r Master of Requests

Richard Alleyne lost no time in petitioning the King as follows :—

To the Kings most excellent Ma^{ty}.

The Humble Petition of Richard Alleyne

Sheweth

That one Elias Alleyne pretending to the wardenship of Gods Guift Colledge in Dulwich did for some time take upon him the trust of that place, although without any due or statuteable election, which being complained of to the Lord Archbishop of Canterbury visitor of the said Colledge and withall that the said Elias Alleyne did not discharge the same with such faithfullness and integrity as he ought to have done the said Bishop of Canterbury did about two yeares since pronounce the said wardens place voyd and ordered a new Election but with noe exclusion of the said Elias Alleyne, if he should stand againe to be new elected, provided he could find security for his true Accompting to the Colledge, and this being submitted unto and undertaken by him and the assistants, but not performed the Master and fellows proceeded to a new election whereat the Pet^r and another stood competitors and the lot falling to the Pet^r he was chosen and admitted, and tooke upon him the execucon of the said place, and therein continued for about two yeares.

That Elias Alleyne complaining to your Ma^{ty} of the Visitors Decree: and the new election of this Pet^r Your ma^{ty} the 12 of July 1680 Referred it back to the said Visitor who shortly after made Report of the whole state of the case a copy whereof is hereunto annexed, and afterwards the said Elias Alleyne hauing moved for a Mandamus in your Ma^{ty}s Court of Kings Bench to be restored, was denied because the Colledge had a speciall Visitor appointed by the ffounder.

That upon another petition to your Ma^{ty} imperfectly representing the case, concealing the visitors report, and many other materiall circumstances whereof your Ma^{ty} ought to have been informed and also suggesting things therein not true the 21 of August 1682 procured another Reference from yo^r ma^{ty} to the Master Fellows and assistants of the said Colledge for the examination of his Election (which the Visitor had pronounced void) and to which all persons had submitted which reference he thinking not full enough for his purpose forged the Master of Requests hand to a reference of his owne making, and a Petition different from what he before delivered to the said Master of Requests, which being produced to the said Master fellows and Assistants, instead of that presented unto, and the Reference thereupon granted by his Ma^{ty}, he obtained to be Readmitted.

The premises considered, your Pet^r humbly praies yo^r Ma^{ty}s Order to the Master fellows and Assistants of the said Colledge that your Pet^r may be restored to the condition and estate he enjoyed in the Colledge before the Reference obtained and the pretended Reference and order thereupon made, and that the said Elias Alleyne may not be permitted to intermeddle with the affaires thereof as warden or to participate of any benefit or advantage thereof.

And your Pet^r as in duty bound shall ever pray &c.

Upon which the King issued the following final order :—

At the Court at Whitehall October the 1. 1682

His Ma^{ty} having been often troubled in this matter, and the Allegations of the Petition being made manifest to him Is graciously pleased (for a finall determinacon and quiet herein) to Ratify and confirm as well the proceedings of the Lord Arch

Bishop of Canterbury in his late visitation of Dulwich Colledge, as also the Election and admission of Richard Alleyn the Pet^r unto the Office of warden thereof. And further to appoint and order that the said Pet^r be forthwith restored to and continued in the execution of the said place and the full enjoyment of the rights and profits thereunto belonging and that the said Elias Alleyn (notwithstanding any his Readmission to the said Office under colour of a Reference from his Ma^{ty}) be not permitted at all to intermeddle in the affaires of the said Colledge or to partake of any benefitt or advantage belonging thereunto. And hereof the Master ffellows Assistants and Officers of the said Colledge and all other herein concerned are required to take notice as his Mat^{ty} express will and pleasure, and thereunto to pay their obedience.

CHARLES COTTRELL.

At the same audit of the 4th September 1682, David Jenkins, scrivener, probably the son of William Jenkins, once a poor scholar, whose appointment has been noted in 1669, was appointed clerk of the College; but at the audit on the 4th September, in the next year, 1683, he was "turned out of his said office by a full consent for misdemeanour." The nature of his offence does not appear. His successor in the office was John Hoyle.

Matters in the College appear to have been more quiet during the next few years, though on the 19th September 1682, Dr. Alleyn complained to the Archbishop of the butler and his servant, Ralph Willis, disobeying him and defying him, backed by the Fellows; and the organist, Mr. Charles Garraway, petitioned his Grace for a reform of the "slovenly manner in which the singing in the chapel is carried on, especially that the Master, Warden, and Fellows will not or cannot sing, and the boys for want of Judgement and mutuall assistance follow one after another in such a confused manner as renders it very absurd to the auditors."

During the Wardenship and Mastership of Dr. John Alleyn, the suits concerning the tithes of the College woodlands which had been set at rest by the agreement already mentioned between the College and Sir Edmond Bowyer, were revived and prosecuted with much vigour.

Mr. Anthony Bowyer* succeeded to the rectory and tithes of Camberwell in 1662, and apparently cancelled this agreement, for in 1664 he brought an action for his tithes against one John Starkey, a tenant under the College, of lands called Blanchdowne Grove. The College defended the action, contending that the lands in question were tithe free, having been parcel of the revenue and possessions of the Abbot and Convent of Bermondsey, and it was endeavoured to be shown that no tithes were received from these lands whilst they were in the possession of King Henry the 8th, and that the woods were reserved to the Abbot in a lease of the manor granted by the Prior and Convent of Bermondsey to John Scott, a baron of the exchequer, in 1530.

* Anthony Bowyer, of the Inner Temple, son of Sir Edmond Bowyer, sat for Southwark in the Parliaments of 1685, 1689, and 1695.

The case was tried at the Surrey Assizes in 1664, Anthony Bowyer obtaining a verdict, which he followed up by suits against various other tenants both in Chancery and otherwise.

The litigation continued until 1681, when it was put an end to by the granting of a lease of these tithes by Anthony Bowyer to Dr. John Alleyn for the term of his life at a rental of £5 per annum, which lease Dr. Alleyn declared by a deed poll still extant was held by him in trust for the College.

Nothing has been preserved to show any further occurrence of interest until the death of the Master, which took place on the 25th March 1686, when he was succeeded by Richard Alleyn, the Warden.

CHAPTER VII.

THE COLLEGE FROM 1686 TO 1712.

RICHARD ALLEYN, the Warden, having become Master, an election of a new Warden was held on the 12th April 1686, John Alleyn being the successful candidate.

At the audit on the succeeding 4th September, the accounts showed an amount of £3. 13s. 3d. due to the College, with arrears of £117. 10s.

In December 1687 Mr. William Cartwright died, and by his will, dated December 1686, which did not appoint any executors, he bequeathed to the College all his books and pictures, his silver tankards and damask linen, an Indian quilt and a Turkey carpet, together with 390 broad pieces of gold.

Mr. Collier, in the Introduction to the Shakespeare Society's publication of T. Heywood's apology for actors, gives the following description of Cartwright :—

An actor of the name of William Cartwright, belonged in 1613 to an association of Players with which Henslowe was connected: and as has been shewn in the "Memoirs of Edward Alleyn, p. 153" he was often one of the guests of the Founder of Dulwich College between the years 1617 and 1622. He was in all likelihood the father of the William Cartwright who, just before dramatic performances were recommenced but while the theatres were still closed, was a bookseller, but who had no doubt been an actor prior to the breaking out of the Civil war, and certainly was so for many years after the Restoration. Downes frequently introduces his name in his *Roscius Anglicanus*, 1708, as one of the King's company, assembled immediately on the return of Charles II. He was Cortachio in "Volpene," Morose in "Epiccene," Mammon in the "Alchemist," Brabantio in "Othello," and Falstaff in the first part of "Henry the Fourth," besides filling many other parts in modern plays. He continued on the stage after the union of the King's and the Duke's Companies in 1682, and died in 1687, leaving his books, pictures, &c., to Dulwich College, where his father had been so often hospitably received, and of the benefits of which institution he must himself have been a witness.

The articles thus bequeathed did not all come into the possession of the College, many having been made away with by Mr. Cartwright's servants, Francis Johnson and Jane his wife. In a document written by John Alleyn, the Warden, in the year 1695, and preserved in the Register

of Archbishop Tenison at Lambeth, the following account of the proceedings relating to the bequest is given :—

Eight years agoe one M^r Cartwright who had beene an acquaintance of the founders did by his will bequeath a considerable quantity of bookes and other things to the Colledge, but after his death some persons pretending to bee his relations did oppose the will in the Prerogative Court whereupon this Respondent John Alleyn being then warden did on behalfe of the Colledge and at their request propound the same and the suite being likely to depend long the Court granted an Administration pendente lite to a third person and this Respond^t procured some friends to become security in 1000^l for due Administration and the bookes and other things being in the hands of some of M^r Cartwright's servants who were in confederacy with those pretended relations to defeate the Colledge, this Respond^t by his interest but with greate difficulty prevailed with the then Sheriffe of Middlesex to grant a Replevin of the same and upon this Respondent's giving security in 500^l to indemnify the sheriffe hee did gett the possession of soe much of them as were left, the said servants and their complices haveing conveyed away a great part of what the Deçed left and afterwards hee obtained a sentence for the will, and administration with the will annexed was granted to him, upon which he entred into bond in 1000^l penalty for due administration and the (*sic*) caused the said bookes and the pictures to be carried to the Colledge where they now are and the bookes to be set upon shelves made for that purpose in the Roome next the Dineing Roome and this Respond^t on behalfe of the Colledge and at the request of the Master and all the then Fellowes did cause a Bill to be preferred in the high court of Chancery ag^t Francis Johnson and his wife late servants of the said Deçed and against their complices for discovery of the remainder of the bookes and other things soe bequeathed to the Colledge which suite is still (1695) depending.

With respect to this bequest it is recorded in the College audit book, under date September 4, 1688, in the statement of account of John Alleyn, Warden of Dulwich College, as administrator of Mr. Cartwright—

That William Cartwright Gent. deceased, by his will in writing, in or about December 1686 (not nameing any exor^r) Gave unto this Colledge his Bookes and pictures, Two silver Tankards, damask Lynnen, an Indian Quilt & a Turkie Carpet, together with £400 in money as a Legacie for the benefit of the said Colledge, & soone after dyed, leaving the said legacy & all hee had besides in the possession of his servants, ffancis Johnson and his wife. That on or about the 14th of January following, by commission or direction from the Prerogative Court, all the goods of the said M^r Cartwright (which his said servants would produce) (besides 390 peeces of broad old gold) were inventoried, appraized, and vallued at £94. 15. 00. as appears under the hands of the Appraysors that soe Inventoried and Appraized the same. That the said John Alleyn warden of this Colledge, (at the speciall instance and request of the master and fellowes thereof) undertooke the burden of the Administration, which (with the said will annexed) was committed to him for the benefit of the said Colledge. That about the first of ffbruary following the said Warden with great difficulty got into possession of all the goods that were soe appraized, except such goods as are mençoned at the latter end of the inventory, exhibited by him into the Prerogative Court, vallued by two of the said Appraysors (as appears under their

hands who came to view what was wanting) at £29. 10^s., which the said servants with their confederates had carry'd away, together with the 390 peeces of broad old gold.

The Warden adds that he

Dischargeth himself of all the Books, Pictures, damask Linnen and Indian Quilt being all the Specifick Legacy (left by M^r Cartwright mençoned on the other side) which came to the said Warden's hands by bringing them in and delivering them to and for the use of the said Colledge, about a yeare since, which said Bookes and Pictures &c "according to the valluacon of the Apprayors are to bee charged at noe " more then fforty and fower pounds and twelve shillings."

The Dulwich MSS. (vi. 39) contain a part of the joint and several answers of Francis and Jane Johnson to the bill preferred against them in Chancery, the last sheets being missing. They are as follows :—

The joint & severall Answ^{ers} of ffrancis Johnson and Jane his wife Defend^{ts} to the Bill of Complaint of the M^r, Warden ffellows, six poor Brethren, six poor Sisters, & twelve poor Schollars of Dullidge Colledge otherwise called the Colledge of Gods guift within the pish of Camberwell in the county of Surrey COMP^{l^{ts}}

The s^d Defts & either of y^m saving & reserving to each other all due benefitt & advantage of Exçons to y^e Incertainties & insufficiencies of y^e Comp^{l^{ts}} bill of complaint for answ^r thereto or soe much thereof as concerns them or either of y^m to make answ^r unto they answ^r & say as followeth. And ffirst this Def^t ffrancis Johnson for his pt saith That hee cannot more fully or p^ticularly make answ^r to any of the ma^s or charges of the Comp^{l^{ts}} Bill laid to his charge then w^t in & by his former answer by him putt in thereto is already sett forth & expressed ffor hee saith y^t hee did not Intermeddle wth any pt of the psonall estate of W^m Cartwright Dec^d in y^e bill named otherwise than is hereinafter sett forth in his this Defts wives answ^r shee being the onely pson generally entrusted by the s^d M^r Cartwright to look after & take care of his concernes att home. And this Deft was employed as his servant to look after his affairs in their Ma^{u^s} Playhouse & to receive his the sd M^r Cartwrights allowance out of the pffitts of y^e sd playhouse hee being one of the Players there & to pay the same unto him w^{ch} hee accordingly did for ab^t y^e space of 17 yeares that hee lived wth him as his servant & was by agreem^t to have had from his sd m^r. an allowance of 15^s p ann during y^e time hee lived wth him But saith there was ab^t 5 yeares arrearcs of the sd allowance due to this defend^t att the time of the decease of y^e sd William Cartwright; And the said Jane Johnson for her part saith y^t the s^d W^m Cartwright departed this life ab^t the middle of December 1687 being then possed of diverse goods householdstuffe & other psonall estate w^{ch} hee had in the house wherein hee dyed situate in or near Lincolns Inn Fields in the county of Middx hereinafter mençoned. And further saith that in or ab^t the month of January then next that the Sheriffs officers of the sd county by virtue of some Authority as they alleaged & by the direccons of the Comp^{l^{ts}} as this Def^t hath been credibly Informed did seize & take away not only most of the goods in the sd house (save what is hereinafter mençoned) & carried y^m away & never returned the same but also yⁿ took & carried away diverse goods & apparell of those def^{ts} w^{ch} are hereafter named viz^t Some new Linnen cloath

some pt thereof being cutt out for diverse uses both w^{ch} as well y^e cutt as otherwise they took away being of the value of 5^l & upwards as also diverse wearing apparell of her this defts & her sd husband worth ab^t 10^l. And did also take away two bedds a fine fleeced wool blankett & 2 large Chests together wth a trunk & box full of Linnen as likewise a Jack fireyrans Andyrans Tongs & ffireshovell as also a roasting Yron severall Joint Stooles a large Indian bason & Jugg wth diverse other things & y^e w^{ch} goods were never appraized by y^e s^d officers nor ever returned again to these Def^t. Nor to any other pson or psons for their use or any Recompence or satisfaction for y^e same. And as to y^e goods of M^r Cartwright w^{ch} came to this Defts possion & were by her disposed of & w^{ch} are all the goods of him & y^e hee dyed possed of y^e ever came to the Custody of this Deft or her sd husband to her knowledge or beleife or into y^e hands Custody or power of any other pson or persons for their or either of their use or uses w^{ch} are as followeth viz^t Two silver Tankards guilt w^{ch} shee pawned for 4^l a peice & w^{ch} were disposed of by the Pawnbroker in regard the money Lent thereupon & y^e interest demanded did amount as y^e Pawnbroker pretended to y^e Intrinsick value of y^e sd plate. One small amber box or Cabinett w^{ch} this Deft did pawn for 40^s & beleives it is not worth much more six books of prints w^{ch} shee sold for 3^l, six volumes of playbooks w^{ch} shee sold for 20^s, severall small pictures w^{ch} shee sold for 15^s a Turkey Carpett w^{ch} shee sold for ab^t 13 or 14^l, a pr of old decayed brasse candlesticks and brasse fire Irons sold at 6^s & 8^d. And this Deft doth verily beleive in her Conscience & is well assured y^t there was none other or further benefitt made of the sd goods in any manner of way w^{soever} yⁿ before mencond. And this Deft confesseth that there came to her hands & custody 390 broad peices of the gold of y^e sd M^r Cartwright out of w^{ch} this Deft paid for y^e burying of the sd M^r Cartwright ab^t y^e sume of 33^l, payed for rent arreare owing by him 5^l. 10^s. 0^d pd M^r Austin the victualler for a score of beer & Ale 4^l. 12^s. p^d to his milkwoman 1^l. 19^s. 3^d pd for his score at the Taverne 1^l. 2^s. or thereabouts pd his washerwoman a guinea. And further this Deft saith y^t shee & her sd husband did constantly live wth the sd M^r Cartwright as his servts for the space of 17 yeares & upwth during all w^{ch} time hee did agree to allow unto this defts sd husband at y^e rate of 15^l p ann as is herein before specified And this Deft doth verily beleive y^t there was 4 or 5 yeares arrearages of wages due to her sd husband at y^e time of the death of their sd Ma^r & likewise saith y^t y^e sd M^r Cartwright did agree to give & allow unto her this deft y^e sume of 10^l p ann for 12 of y^e sd 17 yeares & to allow her 13^l p ann for y^e last 5 yeares in regard this Deft during the sd 5 yeares undertook all the work of the house wthout an underservant w^{ch} before y^t time had been kept but yet y^t this Deft could never receive any money from him or other satisfaction for her sd Wages during all his life time. And saith y^t her whole wages for y^e sd 17 yeares was wholly unsatisfied to her at y^e time of M^r Cartwright's death & did from time to time excuse y^e paym^t thereof pretending y^t hee would when hee dyed leave all his estate to this Deft & her sd husband with all declaring y^t hee kept nothing from this Deft & y^t shee had all or most of his estate in her hands & power & w^t would shee desire more of him or used words to y^e or y^e like purpose & hee by such Insinuations & promises did from time to time keep off this deft from receiving any pt of her wages notwthstanding shee was a continuall slave to him & seldome suffered to goe abroad for y^t wⁿ hee was at home hee required this deft to give him diligent & constant attendance there, being aged & often infirme & wⁿ hee was abroad hee would not trust any pson in his house besides this defendant, by reason of which confinem^t this deft could not have time for neer 17 yeares together to goe to church to serve God by all w^{ch} Itt is very manifest y^t this deft had but a

very uncomfortable Living during all her service with her sd Ma^r whereas wⁿ shee was prevailed wth to come & live with him as his housekeeper shee was in a good way of living using y^e trade of a button maker by w^{ch} shee did make considerable p^{ft}itt. And this Deft moreover saith y^t her sd Ma^r tow^{as} pt of satisfac^{on} of y^e kindnesse intended her this Deft & her sd husband for all the service & slavery aforesaid did some time in his life time execute some deed or Writing whereby hee did (as the sd defts are advised) settle y^e sume of 16^l pr ann chargeable by way of annuity or Rent charge out of some houses in or ab^t y^e City of London to bee payable to this deft & her sd husband, during their Lives & the life of the Longer Liver of them & they did accordingly receive y^e sd rent for some small time after the death of her sd Ma^r & untill ab^t Midsum^{er} 1689 at or ab^t w^{ch} time y^e Comp^{ts} did (as this deft is informed) obtain some ord^r of this Hono^{ble} Court whereby to restraine this deft & her sd husband from further receiving the sd Rent of 16^l p ann, but for w^t Reason & whether y^e sd ord^r bee still in force or not this deft knoweth not. And matters thus standing & there having been very hott psecu^{ons} in this Hono^{ble} Court & elsewhere ag^t her & her sd husband by y^e Comp^{ts} & they having caused him to bee Imprisoned did remaine a Prisoner for ab^t y^e space of 2 yeares. And this deft saith y^t a great number of y^e sd broad peices were expended in paying y^e debts aforesd of her sd Ma^r & in defending of the suites aforesd as also in maintayning her husband in prison during y^e time aforesd & p^{cu}ring his enlargem^t & likewise in maintaining these defts wth meat drink & other necessaries ever since the paym^t of her sd Annuity hath been stopt from y^m, being abt 4 yeares & an half since. And this deft further likewise saith y^t some yeares since shee finding y^t all y^e sd broad peices except 140 were by y^e means aforesd spent & consumed shee did Deposit y^e same in y^e hands of one M^r Nicholas Archbold her Counsell desiring y^t hee would treat wth the sd Comp^{ts} & endeavor to psuade y^m (having considera^{on} to these defts paym^t troubles & expences aforesd) to accept of y^e sd 140 peices in full satisfac^{on} for all such pt of y^e psonall estate of her sd Ma^r as came into these defts hands or used words to that purpose & her sd Counsell did upon reception of y^e sd peices p^{mi}se soe to doe but having once gott y^e pos^{ss}ion thereof hee did still putt this deft off wth some prtence or other & soe still neglected to pceed therein & did

(remainder wanting.)

Some of the lost property might have been recovered had the College been willing to enter into a compromise with Johnson and his wife, for in the rough account book of John Alleyn, the Warden, is the following entry:—

Mem: 26 June 1689: That M^r Coats of Gravel Lane next Aldgate and M^r Webster of Shoreditch both weavers came to y^e colledge on acc^t of ffrancis Jonson and his wife and offered to y^e Master Warden and ffellowes 200^l, 2 silver tankards and Turkey carpet if it might be accepted in satisfaction of y^e legacy left by M^r Cartwright to y^e colledge and that Jonson and his wife might be discharged thereof.

There is also at Dulwich (MSS. vi. 39) a note of the missing articles, viz. :—

Cartwright bequest.

Pictures wanting taken out of y ^e Closet forty & six half y ^e		
things out of y ^e blew damaske boxe	.	6 ^l 5
A large Turkey carpet		
2 silver Tankords gilt	.	7 ^l 15 ^s 0
These goods were appraised only at 6 ^l 5 ^s & 7 ^l 15 ^s & 2 ^l 5 ^s , but worth much more.		
Bp. Halls workes in fol.	.	} 2 ^l 5 ^s 0 ^d
two shakspares playes 1647.	.	
Three Ben Jonsons works y ^e 1 st vollum	.	
One Ben Jonsons works 2 ^d vollum	.	
This Gold was	} 390 broad pieces of old gold.	
confessed by		
Johnson's wife		
	A Rich Cabbinett inlayd w th	
	Gold of 100 ^{li} vallue.	
These latter	Severall Dyamond Rings	
are discoverd	of about 100 ^{li} vallue.	
another way to		
have come to y ^e		
Defts hands.		

Those are all.

An entry in the audit book dated so late as March 4, 1711/2, shows that some of the diamond rings were afterwards recovered :—

Memorand that the Warden of this Colledge hath now rec^d of the Master (John Alleyn, who was warden in 1688) two small diamond Rings part of the Estate of M^r Cartwright deceased A Benefaction to this place which Rings are to be sold to the best advantage and the money to be applyed for the use of the said Colledge in setting up such Figures as were formerly over the porch but to be of copper instead of stone.*

The Cartwright Bequest, however reduced from what the Testator intended, was yet a valuable acquisition to the College, specially the pictures and books. A catalogue of the former was compiled in 1884 by Mr. J. C. L. Sparkes and the Rev. Canon Carver; the latter, so far as still at the College, are included in the printed catalogue of the library. (See Chapter on Picture Gallery.)

It seems clear, from various statements in subsequent documents relating to leases, that a practice had sprung up of letting the lands to persons who divided their holdings into parcels, which they let to sub-tenants at an improved rental. Indications are not wanting of a strong suspicion prevalent at this time, and afterwards, that the Master, Warden, and Assistants were influenced in granting leases by considerations of

* No record appears elsewhere of these "copper figures." They have long ago disappeared, if indeed they ever existed.

favours received or to be received from the lessees, and, as a step towards reform, the following order was passed at the audit on the 5th March 1687/8:—

That for the future, That noe lease or leases shalbee granted by this Colledge of any of their howses or Lands in Dullwich to any person or persons whatsoever, except onely to such person and persons who shall Inhabitt and occupie such howses and Lands Respectively, and to noe other person or persons whatsoever unlesse great reason shall hereafter Appaere to the contrary.

On the 1st June 1689, Benjamin Bynes, who had been a poor scholar, and was sent to Cambridge in 1676, was admitted preacher without drawing lots as provided in the statutes. The Dulwich MSS. (vi. 37) contain the following account of his expenses at the University, endorsed—"A copie of S^r Bynes his charge at y^e University. Giuen to y^e master under his " owne hand January 2^d 81."

An account of S^r (sholar) Bines his charge att the University yearly viz^t

	l.	s.	d.
Commons 2 ^s 2 ^d p. week is yearly	.	.	05 12 8
Syzeing weekly 2 ^s p. week	.	.	05 04 0
Bedmaker p. ann.	.	.	00 12 0
Barber p. ann.	.	.	00 10 0
Washing p. ann.	.	.	01 00 0
firing	.	.	00 10 0
Detriments and Chamber rent	.	.	02 00 0
			<hr/>
Tot is	.	.	15 08 8
ffor clothes and expences	.	.	12 11 4

Doctor James * sends word that he hath 28^l pr. ann., but he makes a querie how the 8^l p. ann. comes to him. He declares that he was sick a whole winter and it cost him five pounds. To all these particulars he hath set his hand to the truth of it.

Mr. Bynes at once took a strong view of the illegality of Archbishop Sheldon's Injunctions, and following the example of his predecessor Mr. Brockett, refused to sign the accounts; so on the 4th March 1689/90 an order for his expulsion was entered in the audit book in the following terms:—

Whereas M^r Benj. Bynes sen^r ffellow of this Colledge has been refractory and disobedient to the M^r and Warden in disobeying their lawfull comands for which hee may Justly bee expelled (hee now refusing to submitt to the orders of the M^r Warden ffellowes & assistants) therefore it is ordered and Agreed that hee bee expelled for the same and hee is expelled accordingly.

This order, however, was not signed, "upon hopes of M^r Bynes his

* Dr. Henry James was President of Queen's College, Cambridge, from 1675 to 1717.

“ amendment,” but on the 19th July 1690 the Warden made the following entry in his weekly account book :—

Mem: That on this day M^r Benjamin Bynes one of the ffellows of this Colledge for severall misdemeanors breaches and contempts of the statutes of the said Colledge and of his oath, and disobedience to y^e Master's reasonable comānds, and p^ticular by a willful and obstinate refusing the said Master admittance into his the said Bynes' chamber at a seasonable time w^{ch} he ought to have done according to y^e statutes of the said Colledge was therefore lawfully expelled.

P ^d M ^r Bynes his Sallary to y ^e 15 th ins ^t inclusive being	
3 weekes (from Midsummerday)	00 14 00
Given him at y ^e same time as a Charity by and w th y ^e	
consent of y ^e Master and Fellowes	01 00 00

At the audit on the 4th September 1690 this expulsion was confirmed by the following order :—

Ordered that whereas M^r Benjⁿ Bynes on the 18th day of July last for severall misdemeanors breaches and contempts of the said statutes of the said Colledge and his Oath and disobedience to the masters reasonable comānds & p^ticularly by a wilfull and obstinate refuseing the sd M^r admittance into his the sd Bynes his Chamber at a seasonable time which hee ought to have done according to the statutes of the sd Colledge was therefore lawfully expelled. Now the aforesaid order is fully rattified and confirmed.

Mr. Bynes' successor was appointed on the 21st August 1690. This successor was Richard Prichard, who was himself subsequently expelled for refusing to sign the accounts, and in his defence on that occasion he gives the following account of Mr. Bynes' final expulsion :—

He is credibly informed y^e s^d M^r Bynes did refuse to sign y^e accounts for some time and that there was an order of expulsion drawn up ag^t him, whether for Disobedience to y^e Masters Comānds in that particular of signing the Books or for what other pretence of reason y^e s^d Richard Prichard cannot be positive, but upon certain Information is assured that y^e same order however entered or by whomsoever subscribed was not put in execution, untill that some considerable time after, y^e present master (John Alleyn), soon after his entrance upon his office as Master, in some Heat demanded y^e College books and Bedding of M^r Bynes, w^{ch} he had by y^e consent of y^e Society enjoyed y^e use of, and being unprovided at that time of Bedding for his present use was loath to part wth that he had, untill he could be otherwise furnished, whereupon y^e Master came to his chamber door with one or more of y^e College servants attending him in order to take away y^e Bedding: w^{ch} the said M^r Bynes being apprehensive of, refused y^e Master admittance into his chamber, whereupon y^e s^d Master drew up an order of expulsion ag^t him grounded on stat. 56 signed by himself and two of y^e Fellows which s^d order was forthwith put in execution ag^t him and for want of countenance and capacity y^e s^d M^r Bynes was forced to submitt to y^e same, not making Appeal to the Visitor or any other Judge to hear and determine y^e Legality or Illegality of y^e s^d expulsion. Notwithstanding it is confessed y^e s^d M^r

Bynes in some Time after did give in a Paper to my Lord Bishop of London (then one of y^e Comissioners for y^e see of Canterbury) representing in some measure y^e abuse of the Charity, y^e missaplication of y^e Revenue and the wrong done to the poor by detaining their Proportions in a dividend which he alledged ought to have been made out of the Improvement of the Estate. To w^{ch} Paper the present Master drew up an Answer and prevailed upon the warden and three of the ffellows unwarily to sign the same, the said Warden and ffellows having been but a few months before elected into y^e College, and y^e s^d Rich^d Prichard y^e latest of y^e four among y^e rest not understanding y^e state of y^e college did approve of and subscribed to that plausible gloss w^{ch} y^e s^d master had put upon y^e matter. However y^e only one of y^e ffellows who was of any standing in y^e Colledge to know the management of y^e affaires thereof did refuse to sign y^e said Answer.

At the previous audit on the 4th March 1689/90, Isaac Dismawitts, a poor scholar, was sent to Oxford; but although money was granted him for the purpose of taking the degrees both of Bachelor and Master of Arts, his name does not appear in the list of graduates.

Richard Alleyn, the Master, died on the 28th June 1690, having held the mastership for four years only. He was succeeded by John Alleyn, the Warden, and an election of a new Warden, held on the 20th July 1690, resulted in the admission of Thomas Alleyn. At the new Warden's first audit on the 4th September 1690, there was due to the College £126. 5s. 8d. with arrears of £50. 10s., and £100 was once more put into the treasury chest, the Fellows at that time being Richard Prichard, who had succeeded Benjamin Bynes as preacher on the 21st August 1690; Alexander Alcock, who had been elected schoolmaster on the 20th March 1689/90; Jacob Lewis,* elected usher the 15th July 1690; and Charles Garraway, who had been organist since the 1st May 1676. Mr. Alcock resigned on the 26th September 1691, and was succeeded by Mr. Thomas Baker on the 5th November.

At this time the opposition commenced by Mr. Brockett, and lately renewed by Mr. Bynes, to those parts of Archbishop Sheldon's Injunctions which authorized the payments to the thirty out-members, and the expenditure of £10 per annum for the repair of the highway between Dulwich and Camberwell, was in full force, all the Fellows being against the Master and Warden, who supported the payments. The latter could, of course, do no otherwise than obey the Injunctions, and they prevented the Fellows from making any order against such payments by enforcing the Injunction that no order should be valid unless either the Master or Warden, or both, were of the majority. The preacher had, however, the possession of the

* WEEKLY ACCOUNT BOOK—Memorand :—That on this day the 15th of this instant July, M^r Jacob Lewis had his admission and was sworn Usher of the Schol in this Colledge in the room of M^r Humphery Collins who was elected and had a lott for y^e same place on the 31st May last but never came after to do any duty therein w^{ch} admission of the said M^r Lewis was by the consent and approbation of his Grace ArchBopp of Cant and alsoe of his Lordsp the Bishop of London.

Register, and as the fines inflicted on Elias Alleyn, when Warden, for peculation, had been recorded in that book, they determined to make that fact a precedent, and proceeded to make the following order, treating the Warden's payment of £10 to the highway surveyors as an illegality equally deserving of a fine:—

Whereas on Saturday the 31st of 8^{br} 1691, the Warden and Fellows according to the Statutes of their College and a former agream't betwixt the Master Warden and fellowes of the said College, did meet in the Parlour to hear and examine the Acc^t, Receites and disbursements of the Warden of the said College, But the warden, refusing to give his accounts according to the said agr'mt and the statutes of the said College, notwithstanding his being requir'd and sent for to, for that purpose (alledging that he owed us the fellowes not soe much service). Wee therefore the Fellowes of the said College, on the examination of his acc^t by a true copy of the same, finding that the said Warden had clandestinely lay'd out the sume of ten p^d without the knowledge and consent of any of the Fellowes, or the major pt of the Society the same appearing not legally done. We the said Fellowes, being the major part of the Society have thought fitt to declare and adjudge the said warden to have thereby forfeited the sume of twenty p^d and therefore according to the 13 Stat in that case made and provided, we doe thereby punish and amerce the said Warden in the sume of twenty pds, to be payd at the Board on Friday next ensuing the date hereof, being the next private sitting to the master of the Colledge for the use of the said College.

Witness our hands,

RICHARD PRICHARD
JAC. LEWIS
CHARLES GARRAWAY.

The Master and Warden treated the above order as null and void, and the Fellows retaliated by refusing to sign the Warden's weekly accounts, a proceeding which caused him much inconvenience, these weekly discharges being the vouchers for his expenses that he was accustomed to place before the assistants at the half-yearly audits. In previous times the Archbishop would, no doubt, have at once interfered, but the position of the see of Canterbury was at that time peculiar. Archbishop Sancroft had refused to take the oath of allegiance to William and Mary, and had been more or less suspended for some years previous to his deposition in 1691 (whence the reference to the Bishop of London, who had charge of the see), and it is quite possible that the Master and Warden may have been among those high churchmen who declined to recognise Archbishop Tillotson, who had succeeded Sancroft in the latter's lifetime.

Sancroft's own feeling in the matter was so bitter that he deliberately died intestate, preferring to allow his property to be divided amongst his heirs-at-law rather than to permit his will to be proved, as it must have been, in the court of his successor. His books and papers, which he had intended to leave to Emmanuel College, Cambridge, were, with the exception of a few books and classical MSS., which he presented to that College

in his lifetime, inherited by his heirs-at-law, and dispersed. Those, or some of those, relating to Dulwich College were purchased by Dr. Tanner, Bishop of St. Asaphs, and form part of the Tanner MSS. presented by him to the Bodleian Library at Oxford.

Archbishop Tillotson, however, died on the 22nd November 1694, being succeeded by Dr. Thomas Tenison, Bishop of Lincoln, and the College at once brought their domestic affairs to his knowledge.

Meanwhile on the 4th March 1690, it had been ordered that the two front gates of the College "be new made." On the 5th September 1692, the £100 deposited in the treasury chest on the 4th September 1690 had been taken out for the necessary uses and to defray the debts of the College.

The Master and Warden, as stated above, brought the affairs of the College before the Archbishop early in 1695, presenting a petition complaining of the conduct of Mr. Prichard, the preacher, Mr. Baker, the schoolmaster, and Mr. Garraway, the organist—

Who not content with their employments nor with the statutes to which they are sworn, nor with the said Injunctions made by your Grace's predecessor, tho' confirmed by severall subsequent orders, doe frequently speak very disdainfully of them, and the schoolmaster neglects the school and Publique prayers to the reproach of the Colledge and detriment of the place and not only so but they refuse to comply with the payment of such sums as are in the said statutes positively directed or to signe the weekly accounts (which are the warden's vouchers) and so have been by custom and Practice ever since the Founder's time whereby the peace of the Society has been much disturbed and your Pet^r ill treated and hindred from doing their duty for the good and benefit of the said Colledge.

The Archbishop summoned the three Fellows complained of, and on the 22nd June 1695 they appeared before him and Thomas Tyllot, notary public, at Lambeth. They admitted freely having said that "the Injunctions were contrary to the letters Patent of King James the first, and that the Founder had in making his statutes exceeded the power granted to him thereby," whereupon his Grace "monished them to forbear reflecting upon their founder." On the question of signing the accounts, Mr. Baker stated that he had signed them, but the other two Fellows justified their refusal to do so, "for that there was charged in them sixty pounds to the outmembers and Tenn pounds towards repairing the highway, and that the warden had therein set downe six pounds tenn shillings for his man's wages for a year whereas he had paid him but five pounds." This the Warden denied, alleging that "he paid him above seven pounds per annum." The Master and Warden then complained that the school and the public prayers were neglected, alleging, in particular, that the schoolmaster was accustomed to be absent three or four days in a week without

leave, and that there had been no service in the chapel on Sunday the 2nd of June last. Mr. Baker, in reply, claimed his right under the statutes to be absent two days a week, and denied longer absence without leave. It appearing that no record of leaves or "exitts" granted was kept, the Archbishop ordered the Master "to provide a Booke for that purpose and that "for the future all exitts or leaves should be there registered." As to the omission of service on the 2nd June, Mr. Baker stated that it was not his turn to officiate, and Mr. Prichard excused his absence by stating that he had preached at Clapham that afternoon. This brought down the Archbishop with an inquiry "if hee had any license to preach out of the Colledge "and hee replying that hee had not his Grace admonished him for the future "not to preach in his Diocese without license." He seems to have gone further, and to have threatened to write to the Bishop of Winchester, the diocesan of Dulwich, as will appear hereafter in a letter of Mr. Prichard's. Then Yeo, one of the twelve poor brethren of the College, appeared and "alleadged that by reason of the smalnes of their allowance they were "forced to bee absent some time from the said Colledge to worke for their "better support and that though hee had leave to bee absent yet the Master "in his absence deducted two pence a day which was one third part of their "daily allowance." The Master admitted the fact, and defended the deduction, "for that the old men sold that allowance when they were soe "absent and that when they were absent there was the less baked and "brewed," and thereupon "his Grace approved of what the said Master had "done therein and ordered that they should not have any allowance of "Bread and Beere when they were absent."

Mr. Prichard and Mr. Garraway being asked what further objections they had against "the foresaid accompts," requested time to prepare their objections, and to be allowed to inspect all the books of accounts.

His Grace declared that "he did allowe of the payment of outmembers "and towards the repaire of the highwayes, and that, that ought not to bee "any objection against their so signing, but that it was his opinion they "ought to signe the said accompts and monished the said Mr Prichard and "Mr Garraway by vertue of their oaths to signe the same." He then appointed "this day sennight," the 29th June, to hear their objections to other items in the account, and ordered that they should be allowed to inspect all the books in the presence of the Master or Warden on Wednesday the 26th June from one to five o'clock in the afternoon.

The hearing was then adjourned to the 29th June, and all parties were "monished" to appear, the Warden being ordered to "bring his man with "him."

Accordingly all parties attended on the 29th June, including Maurice Williams, the Warden's servant, who "owned that he had but five pounds

“ p. annum payd him to his wages but had Cloaths from his master yearly “ to above the value of thirty shillings,” and that he had rather have the clothes than thirty shillings in money.

The Master complained that Mr. Garraway had, by “ what means he “ knew not,” obtained copies of the Deed of Foundation, of the Deed of Uses, and of other “ writeings ” relating to the College, “ which hee conceived “ he ought not to have,” and his Grace monished Mr. Garraway “ to bring “ into the Treasury copys of all such writeings in his custody relateing to “ the Colledge w^{ch} had not beene extracted out of Publick offices.” The Fellows being again asked what further objections they had to the accounts, Mr. Baker complained of a fine of 6s. 8d., which was remitted, and the other two had none to offer, but desired that his Grace “ would visitt the “ Colledge.” The Archbishop ordered them to present a petition, setting forth “ weighty reasons why they desired it,” on the 29th July, or to sign the accounts before that date. Mr. Prichard thereupon replied, insisting “ that hee was not obliged by Lawe, or the statutes of the Colledge “ to signe the accompts and that where there was noe lawe there was “ noe Transgression.”

On the 29th July Mr. Garraway withdrew his demand for a visitation, and the time for the presentation of the petition of Mr. Prichard was extended to the 12th of August; the latter also presented the following letter praying for a withdrawal of the admonition not to preach in the diocese of Canterbury, and requesting the Archbishop to stay Mr. Tyllot’s hand from writing to the Bishop of Winchester :—

May it please your Grace.

S^t Paul in his own vindication spoke rashly & rudely to y^e high Priest & wist not, considered not he was the high Priest of whome it was a sin, at least of Infirmary to utter such harsh speeches. My Lord, I confesse I may have spoaken unadvisedly & unbecomingly in y^r Grace’s Presence tho’ not yet of you even out of Presence: And what I have either spoken or acted in point of Reflection upon any pson in my present case was indeliberatly done thro’ a sensible Resentment of injured Innocence. I am sincerely sorry for what I have indiscreetly spoken thro’ an immoderate Zeal even for y^e Honour of God & Good of my Brethren. I hope with y^e assistance of y^e meek & immaculate Lamb for y^e future to be able to qualify that intemperate & unseasonable Zeal w^{ch} proceeds more from y^e Frame of my nature than the Fault of my Will.

My Lord y^r first Admonishion was a great Affliction tho’ I lost nothing by being more then ordinarily obedient to y^e Restraint. But this second method of Punishment is a Treating of me as guilty of y^e highest Imorality or Heresy. If I am represented to y^r Grace as such I desire to be accused openly & condemned to Inflictions suitable to my Crimes if I am found guilty either in Life or Doctrine. But untill such things be proved of me I humbly crave y^r Grace would vouchafe to take my Admonishion in y^r consideration to withdraw it, since I never did preach nearer y^r Diocese then at Lewisham for M^r Stanhope, at Beckenham for D^r Ashton & once at Bromley for y^e Bp of Rochester & likewise be graciously pleased to stop M^r Tillots hand from writing

to my Lord of Winchester since y^r Grace's Prohibition in this kind is an implicit Accusation of my Life and Doctrine. Y^r Grace's Compliance with this my most humble & most earnest Request will engage y^e most fervent Supplications & Prayers
of y^r most humble Son

& afflicted Servant

July 29. 1695.

RICHARD PRICHARD.

On the same sheet of paper is also written :—

My Lord. Notwithstanding I am thus earnestly desirous of my Liberty untill such time as I abuse it & y^r Grace or others of my Right Rev^d Fathers do jusly (*sic*) silence me I doe sincerely assure y^r Grace that I have not made one peny Profit of it since y^e Fast Day appointed ab^t the later end of Aug^t or Begining of September last past that I received 40 shilling for preaching at y^e Temple upon sudden & short notice. My only Aim & End in preaching abroad upon accidental occasions being to oblige & serve my neighbour in his necessity & doing Good to y^e Publick as far as I may be capable, neither am I (if I know my own Heart) so vain as to think I can doe better then others. And I appeal to y^e impartial character of all my neighbouring Brethren to wipe off y^e false suggestion of M^r Warden's last Aspersion upon me.

I am, y^r Graces

Most obedient Son & unworthy Serv^t

R. P.

Y^r Grace in due time may be undeceived in y^e wrong account you may have had of my temper w^{ch} I hope has been & by the Grace of God (*remainder mutilated and illegible*).

Mr. Prichard duly presented his petition on the 19th August. It consisted of twenty articles, to each of which the Master and Warden answered, Mr. Prichard "replicated," and finally the Archbishop gave his decision on it.

1. Article 1 accused the Master and Warden of carrying out Archbishop Sheldon's Injunctions "contrary to the practice of former times for fourty "one years together immediately after the death of the founder."

To this the answer practically was that the Injunctions were binding o the College.

Mr. Prichard in his replication entered into a very long argument to prove the contrary; and the Archbishop declared "he has read and considered the statutes and Injunctions and that he did not think fitt to "alter the same, nor did find that the Master or Warden had acted contrary "to them."

2. The second article complained that the Master and Warden had "accepted of a dispensation from observing severall of the statutes" by "neglecting to maintaine Husbandry Brewing and managing the woods in "their own hands," and otherwise.

To this they replied that matters were now as they had found them at their admission, and that what had been done had been authorized by the Injunctions.

Mr. Prichard combined this article with the first in his replication, and the Archbishop "declared that he did not find any proove of this article, " but that the M^r and Warden had acted according to the Statutes and " Injunctions," and that his Grace did not at present think fit to alter any of the said Injunctions.

3 and 4. The third article accused the Master and Warden of acting inconsistently with their oaths by admitting the assistants to a share of the government of the College; and the fourth asserted "that the six assistants " by their present practice invert the Designe of the Institution and defeat " the intent of the ffounder in ordaining them."

To this it was answered that "the Assistants are appointed and their " allowances defined by statute"; and the fourth article was met by a simple denial.

The replication of Mr. Prichard on this subject is given somewhat at length, as this question was for many years debated.

He denied the right of the assistants *in toto*, saying:—

And that these assistants ought to be excluded and that y^e thirty outmembers had no Right to their Pensions was once y^e opinion of the present Respondent Thomas Alleyn and being afterwards charged with the Alteration of his Judgm^t he sayd he had changed his mind Because that if the Assistants were excluded there would be no abiding for him in y^e College, intimating thereby, if not plainly confessing, that these Assistants were y^e only support he had to justify his accounts ag^t y^e Objections of y^e Fellows and to punish y^e fellows for not subscribing to y^e same which matter of fact appeares true from their Proceedings the two last audits, by voting and signing of Orders of ffines and expulsion ag^t such of y^e fellows who refused to subscribe the s^d Accounts.

He then went on to define the duties of the assistants as ordained by the statutes, and proceeded:—

Thus far it may be allowed, the ffounder might lawfully constitute y^e s^d church-wardens as Assistants by their pticular Inspection into y^e affairs of y^e College and by their Advice &c to promote the wellfare thereof: Now this Part w^{ch} the s^d Richard Prichard looks upon as y^e whole of their duty they so far neglect that they make no farther enquiry into the matter then to hear the Receipts of y^e Rents & other sum^s read out by y^e Clerk as also y^e sum^s total of y^e weekly Disbursements, then cast up the figures to see if y^e Ballance according to the greater sum^s of Receipts and Disbursements be rightly computed, w^{ch} done by one or two they all sign y^e bookes and adjourn to Dinner where there is exceeding y^e allowance of y^e Statutes. After w^{ch} they give their votes in makeing of Orders for Leases or other publick businesse for y^e most parte if not allwayes as y^e s^d Rich^d Prichard may safely alledge for these five yeares last, according as they find y^e Inclinations of the Respondents bent:

Whereupon one of y^e Respondents pays them the severall sum of their Demands w^{ch} in y^e whole amounts to about 60^s a year, after which they put an end to their short visit and repaire to their respective homes, neglecting as they are required by y^e 96 statute and put in mind of y^e same by y^e ffellows, to view y^e Plate and evidences in y^e Treasury chest and chamber on y^e fourth of September and on y^e 4th of March as they are required by y^e 94 statute to view y^e Building and make sufficient Orders for y^e Reparation thereof where it is needful. The examination of half a years acct^s lasting but ab^t half an hour in y^e morning and the Debate of other Businesse in y^e afternoon lasting ab^t an hour and a half as near as y^e s^d Richard Prichard can guesse.

He then further argued against the assistants having votes, insisting that if the second statute which appoints them is to be observed, the other part of it which appoints chanters should be observed also; and that if only part of the said statute is to be observed, that appointing chanters should be as "being of most use to promote y^e service of God and the wellfare of y^e Place." He went on to complain that the assistants were unfit for their office: "men of small Insight in Laws and Constitutions and slender Abilitys for y^e Government and Regulation of a Corporation to w^{ch} they pretend authority." "However," he added, "thus unqualified as well as unauthorised for these offices they have for a long Time usurped y^e same to the manifest Prejudice of the Corporation by outvoting the licenc'd members in severall things, particularly in y^e choice of wardens of mean educations, suitable (*sic*) Qualifications and perhaps not of y^e clearest integrity for y^e discharge of their Dutys as may appear by y^e ffine and suspension of one former warden for defrauding y^e College to be seen in y^e same Register Booke wherein y^e 20th ffine of y^e present warden is entered pursuant to stat. 93: whereas Stat. 15 for election of y^e warden only sayes y^e assistants shall be present thereat w^{ch} if it be interpreted that they are required to be there in order to vote or else to no Purpose then ought also y^e Junior ffellows to be there according to y^e same statute to ballance their votes."

To the third article his Grace "declared that the Master and Warden have done nothing but what is warranted by and agreable to the ffounders statutes and Visitors Injunctions"; and to the fourth he "declared there was no proof made of this article."

5. The fifth article accused the Master of arbitrary conduct in—1st, Taking books out of the custody of the Senior Fellow; 2nd, Insisting on the Senior Fellow being in residence on the "first day of the week," whereas the statutes allowed him two days' absence in every week; 3rd, Insisting on the signature of the accounts; and 4th, Punishing the Fellows without previous admonition and without a full attendance of the Society.

To this the Master and Warden replied:—

1. That there were but few books belonging to the College, "and to the best of this Respondents judgement they would not yeild to be sold tenn shillings," and denied refusing access to any books except to those of the Cartwright Bequest, as explained in connection with Article 16.

2. That it being the Senior Fellow's duty to preach in the chapel on Sunday, they conceived they were right in insisting upon his presence on that day; but that Mr. Prichard, notwithstanding, absented himself, and forced them to "hire one to preach in his roome."

3. That the signing of the Warden's accounts was necessary and customary; and

4. They denied that they had punished any Fellow without previous admonition or without a full board, "though they beleive that if those w^{ch} were faulty did confederate together and absent themselves on purpose to prevent or delay punishment in such case they might proceed and punish without a full board."

Mr. Prichard in his replication asserted:—

1. That he had possession of several books "which he found in his predecessor's chamber," but that on the occasion of a quarrel between the Master and Fellows the Master "in an angry and spitefull manner comānds y^e s^d Rich^d Prichard to return him y^e s^d bookes and some other goods which were left in his chamber since his Predecessor's time," which he did in fear of expulsion, and also declares that the Register book was taken from him by the Master and detained "for a considerable time."

2. He insisted that he had a right to be absent on a Sunday, "provided he takes care y^t his Duty be duly supplied in his absence," which he affirmed he had always done, except "on or about y^e first second and third Sundays in November 1691, when y^e Saturday preceding y^e first of these Sundays y^e warden did forbid y^e s^d Rich^d Prichard to goe into y^e Pulpit y^e next day and threatened him if he did attempt it, he would have him dragged out by y^e Heels for w^{ch} cause to prevent Disturbance and Scandal the s^d Rich^d Prichard did absent himself from his Duty w^{ch} he was hindered quietly to perform untill such Time as he brought an Inhibition from the Visitor to stop their proceedings and give the said Rich^d Prichard quiet Possession and enjoym^t of his Place, untill y^e meritt of y^e cause were heard during w^{ch} Time of y^e s^d Rich^d Prichard's unjust and arbitrary exclusion out of his Place, it is confessed y^e Respondents did hire some Persons to preach in his stead and pay'd them out of y^e College Revenues."

3. He denied that the signing of accounts is a "lawfull and fitt matter," and argued at length against the practice of the Fellows signing them; and

4. He challenged the Respondent to produce books in which admonitions are entered, and avered "that he knew not of any such businesse to be debated nor was he nor even M^r Lewis himself present when y^e order was made for makeing his ffellow-ship voyd w^{ch} y^e Law of the Land, together wth an order of King and Councill qualified him to keep as consistent with his Chaplainship at Sea, while he proposed a sufficient supply of his Place in his absence."

The judgment of the Archbishop is recorded as follows :—

“ His Grace declared that there was no proof of the Master’s command-
 “ ing the Senior ffellowe to deliver up Colledge bookes, he only inspected
 “ the same and returned them back. That the Master did well to command
 “ the senior ffellowe to stay at home the first day of the week, the Statutes
 “ not allowing the Senior Fellow to bee absent that day, it being his duty
 “ to preach, and his Grace haveing seen the account Bookes of Acc^{ts} of the
 “ Colledge expence, and finding they were alwaies signed by the Fellowes
 “ weekly does think it reasonable that custom should be continued, and did
 “ order the said M^r Prichard and M^r Garraway to sign them and the M^r and
 “ Warden complaining that the ffellowes had entred an order in the Colledge
 “ Registry Booke for fineing the Warden twenty pounds, his Grace ordered
 “ the same and all other Orders to be expunged, and declared there is no
 “ Proof or Instance of Punishing any ffellowes but where the complaints
 “ have joyned.”

6 and 7. The sixth and seventh articles complained of partiality on the part of the Master and Warden, “ only such of the fellowes who have refused “ to sign the acc^{ts} ” having been punished, and neglects of duty on the part of the poor brethren, sisters, and servants, being left unpunished, “ although “ proposed by some of the ffellowes.”

The Master and Warden simply replied that “ the same are false,” while Mr. Prichard challenged them to produce “ y^e Pretended booke of orders.”

The Archbishop decided that neither of these articles was proved.

8. The eighth article alleged, “ That the service of Almighty God is “ not performed in the Chappell after the due manner prescribed by the “ ffounder in the 60th statute.”

To this the Master and Warden replied that the service was performed in accordance with the statutes except as to singing, “ which to attempt “ without a Choir of singing men would bee a meanes to expose that “ solemn service to censure and contempt,” and Mr. Prichard retorted that it would be possible to sing in the chapel, that it was done in former times, “ and that the Respondents not complying with y^e Organist’s reason- “ able Request has been a meanes to dissappoint us of that Performance w^{ch} “ might otherwise be expected from y^e Boyes.”

The Archbishop declared “ that he did not find any fault in the Master “ or Warden as to this matter, for that it does not appeare there ever were “ any Chaunters since the ffoundation, nor will the estate of the Colledge “ bear that charge.”

9. The ninth article alleged that the Master and Warden “ neglect to “ make orders at private sittings or keep a book for that use to the intent “ as wee presume that they might order things more according to their “ own wills.”

The Master and Warden asserted that they "always had and have a booke for that use," and Mr. Prichard replied that "he never to his knowledge did see that booke w^{ch} y^e Respond^{ts} may affirm to be their Book of Orders except when the orders of ffines and expulsions were entred agst himself, w^{ch} were sign'd only by y^e Respond^{ts}," and that having attended the private sittings for five years, "in all this Time could he never have y^e said booke to enter orders in, nor are there any orders as ever the s^d Rich^d Prichard could hear of entred in y^e s^d Book except those ag^t such of y^e ffellows who have refused to sign y^e accounts."

The Archbishop said, "The M^r and warden produced the book for entering Orders at private sittings and his Grace ordered the same should be brought and used at such sittings."

10. The tenth article alleged that "the Master and Warden, in the expences of the Colledge do not keep within the bounds prescribed by the statute 119."

To this the Master and Warden replied "that they endeavour to keep the expences within the statutory bounds," but pleaded exceptional expenses for repairs, and for expenses of suits in Chancery and other courts.

Mr. Prichard merely reasserted his complaint, and the decision of the Archbishop was: "His Grace haveing inspected the Bookes of acc^{ts} he found no just cause of complaint."

11. The eleventh article was, "That the warden does not clear his acc^{ts} on the fourth of March as the statutes direct" (Stat. 94).

The Warden answered that "he does clear his accounts every audit viz^t on the 4th of March and 4th of September, so far as is possible," that "what ever was not rec^d was returned in arreare," and that all tradesmen had notice to come and receive their money, "and if they did not then the money was in cash to answeare and discharge the said Bills whenever the Tradesmen came and were never entred or charged as paid till they were paid."

Mr. Prichard replied that the Warden refused to state what "mony is due to the Tradesmen he deales with so y^t y^e ffellows and assistants are in a great measure ignorant of y^e state of y^e College."

The Archbishop remarked, "The books of Acc^{ts} being shown his Grace declared he found no just cause of complaint."

12. The twelfth article complained, "That sinister methods have been made use of by the Master to render 10^{li} in appearance payable to the highways contrary to the true intent of the ffounder and unjustifiable by the statutes as was paid by the Warden into the Master's hands in the year 1691: that the Warden was fined 20^{li} for the same according to the Statute in that behalf provided, but has not yet paid the money."

The Master in his reply to this article "denyes he has used any sinister methods to render Tenn pounds payable to the Highwaies as is safely suggested but sayes that as well by the ffounders statute 117 as by the Visitors Injunctions the same is ordered to be paid and therefore in the said yeare 1691, he beleives the Warden did pay to the Master tenne pounds for that purpose which he paid accordingly as appears by a Receipt from the Officers of Dulwich and a discharge of the Justices of the peace thereupon, and as touching the fine of Twenty pounds imposed upon the warden they conceive the same to be done by a very unwarrantable order and in a clandestine manner made in private by the complaint (*sic*) Richard Prichard and his complices in a booke usually kept by the Senior fellowe onely to enter therein the names of such persons as are from time to time recv^d into the Colledge and when they departe from thence and for marriages, christenings and burials and was made without the knowledge of the Master and Warden which by the statute 30th but more positively by the Injunctions ought not to bee as appears by the 5th Injunction wherein its ordered That noe vote (much lesse any other order or fine) shall passe without the master or warden or one of them doe consente thereto, and the reason is added because otherwise by combinaçon of the ffellowes the Master and Warden might be made Cyphers who by the statutes are the cheife of the Society as appears by the 30, 31, & 32 Statutes and therefore it is hoped your Grace will command the said pretended order and fine to bee expunged that it bee not drawne into a precedent for the future."

Mr. Prichard observed that as to the highways he is not allowed to reply, otherwise he hoped "to make his allegation clear beyond exceptions."

As to the fine, he replied "that the said Order of twenty pounds fine agst y^e warden was made by the ffellowes in due manner according to Stat. 33, at y^e time and Place appointed as well by y^e Statutes as also by a precedent agreement between y^e M^r Wdn and ffellows for a monthly sitting, w^{ch} had been neglected for some time before. And y^e said Rich^d Prichard does confess that y^e M^r was absent from y^e said private sitting w^{ch} according to y^e s^d statute he sh^d have been at, and y^e s^d warden being in his chamber was sent for and required to be present thereat, but willfully refused saying he did not owe y^e ffellows so much service as to wayte on them, even when his Duty required him at that Time to exhibite his Bookes to be examined. That the said order was entered in a Book w^{ch} has Precedents of y^e like kind." He then argued at length against the injunction making orders invalid without the concurrence of the Master or Warden, and concluded, "for which Reasons it is humbly hoped y^r Grace will more especially make voyd that fifth Injunction w^{ch} gives y^e Respondents a negative voyce and w^{ch} they now openly insist

“ upon as y^e s^d Richard Prichard hopes to prove they have before done
 “ y^e same in their Practice to y^e Prejudice of y^e College.”

His Grace declared that the payment of ten pounds to the highways was according to the Statutes and Injunctions, and therefore the Master and Warden were not to blame in paying it, and he decreed the order for fining the Warden to be expunged.

13. The thirteenth article alleged “ that the Master keeps Colledge lands by Lease in his hands contrary to the intent of the ffounder which is of ill consequence, stat. 103. The Bell tenement and part of Dulwich Court Tenement.”

The Master replied, denying “ that hee ever had any lease of any College Lands granted to him or to any other person or persons in trust for him. But says that about twenty years agoe the Colledge did grant a lease of the Bell Tenem^t to one M^r Wells for 21 years who afterwards assigned the same to one M^r Lewis for the remainder of the terme, and as to Dulwich Court Tenem^t the Colledge long before this Respondent belonged to the same or knew any person therein did grant a Lease thereof to one M^r Webb who afterwards let it out to severall persons and amongst the rest one parte of it was Lett to the said M^r Lewis for the remainder of his terme and the said M^r Lewis about foure years agoe dyed but made his Will and this Respond^t executor and hee has proved the same and paid his debts and legacies due, and is charged with the payment of one Annuity of tenne pounds a yeare and therefore he claims the interest of the said two estates only as executor to the said M^r Lewis.”

To this Mr. Prichard replied admitting the facts, but arguing that it was highly inexpedient that the Master should hold a lease either as executor or otherwise, as it was impossible to compel him to do tenant's repairs, “ and to prevent these and further ill consequences w^{ch} may ensue, It is humbly prayed that y^r Grace would enjoyne y^e Corporaçon not to Lease out y^e Bell Tenement to any Person whatsoever for the future, y^e present Lease expiring next Michaelmas and likewise y^t y^r Grace would order y^e Respond^{ts} to husband y^e same wth y^e consent of y^e ffellows to y^e Benefit of y^e College according to y^e design of y^e ffounder in stat. 105.”

The judgment was, “ His Grace declared that hee did not find the M^r held any Colledge Lands but what he had as an executor to a Colledge Tenant which he declared he might doe.”

14. The fourteenth article complained “ That the Master keeps the Colledge seale in his own custody refusing to put [it] into the Treasury Chest or Chamber as he has been desired by the ffellows which may be, if it hath not already been, of very ill consequence.”

The Master and Warden answered that it had always been usual for the Master to keep the College seal, and that as all leases, to be valid, must

be made at a public audit, and all sales of wood must be ordered and agreed by a majority of the Society, no damage could possibly come to the College, from the custom. On the other hand, they said "That although the Leases are agreed upon on such audit dayes yett they are not sealed till afterwards and if the Seale should bee in the Treasury Chamber to which the said Richard Prichard has a key hee may if he will be cross refuse to lett it be taken out, and thereby the bargaine and lease may fall, which may bee a greate prejudice to the College."

Mr. Prichard replied that the seal is "Plate not in daily use," and as such should be in the treasury chamber, that as the "fellows had no Catalogue or account of y^e Leases till of late so that Leases might possibly be renewed by virtue of y^e College seal without much noise and nobody enquire into y^e validity of them;" besides that "money may be borrowed by virtue of the Seal and y^e College lyable to pay the same;" and as to the suggestion that he might refuse his key by way of obstruction, he said that in that case "he would be justly liable to punishment and y^e majority might justify y^e breaking open of y^e Lock rather than loose an advantageous bargain."

The Archbishop's judgment was as follows:—"His Grace declared that the M^r in keeping the Colledge seal has done no more then what all his Predecessors have done but his Grace intends to make some order therein but in the mean time the M^r to keepe it as before."

15. The fifteenth article alleged "that the M^r and Warden who dispose of the Revenue doe give extravagant Rates never makeing abatement of Bills for Commodities which they buy for the use of the Colledge; and use their endeavours to encrease the Sallary and wages of those who are employed in work for the Colledge but on the other hand bring down the Price of what we sell as low as may bee, makeing bargains only or chiefly with such as are their peculiar favourites and rejecting more advantageous proposalls from others."

The Master and Warden met this with the answer, "The same is utterly false."

Mr. Prichard replied that "he affirms and hopes to prove that y^e Respondents rejected two severall Tenants to Wid: Marston's House who made more advantagious Proposals then what has been accepted of by them from y^e present Tenant and that y^e Respond^{ts} refused nine pounds an Acre for y^e last and this ensuing year's fall of woods from one Chapman and accepted of eight pds ten shillings an Acre from another. And y^e Master has made use of warm arguments to advance y^e price of Beef and mutton to y^e advantage of y^e Butcher and to increase y^e wages of the College Laundress and Clockmaker."

The Archbishop in his judgment "declared this article to be false and "scandalous and no sort of proof made thereof."

16. The sixteenth article alleged that "the Master has detained the "use of the Books in the study from the ffellowes he alone keeping the "Keys thereof, and refusing or neglecting to give the ffellowes a cata- "logue of the books and has concealed the Warden's security from the "ffellowes."

To this the Master replied by giving the account of the Cartwright Bequest (to which the books belonged) as quoted above (p. 183). And added "that this Respond^t saith that there never was but one key to the "room where the bookes are and hee haveing ingaged in such securityes "as aforesaid for saveing the sheriffe harmlesse and for due Administration "did thinke it was fitt for him to keep the Key that soe there be noe "imbezilement the said bookes not being chained but standing loose on "the shelves. But this Respond^t denyes that he did ever refuse the said "Richard Prichard or any of the other Fellowes to have the use of any of "the said Bookes and to take them to their Chambers upon giving a note "under their hand of what booke they tooke that soe they may bee called "for againe and he still ready and willing soe to doe and denyes that hee "ever refused the ffellowes or any of them to make a catalogue of the "bookes but was alwayes and still is willing that they may make one "when they please. And he also denyes that he conceals the wardens "security but sayes the same is in the Treasury Chamber where it ought "to bee unlesse the said Richard Prichard or any of his confederates have "taken the same away for that this Respond^t hath noe key to that roome."

Mr. Prichard rejoined that he had some books, "but upon delivering his "thoughts freely at a certain private sitting contrary to y^e Respondents "proceedings, y^e s^d Bookes were in an imperious manner demanded from "him," and he had never since asked for any. He considered that as the College money was freely expended in obtaining the Cartwright Bequest, the Fellows ought to have keys to the room where the books are, and further said he had proposed to make a catalogue "jointly with the Master, Warden "and ffellowes but cannot yet obtain the same."

As to the Warden's security, he said that by statute 17 the Warden had to give bond for £1000, "yet it has been found by experience that this "single security was not sufficient to answear y^e end of y^e statute since one "former warden was fined for defrauding y^e College and found insolvent "therefore it was thought fitt for the future that y^e warden upon his "admission sh^d procure one or two sufficient Persons to be bound with him "in a Bond of a thousand Pounds to answear the end of the Statute: And "this Rule has been observed for severall successions of y^e wardens last "past." He then asserted that this bond was received by the Master

privately though the Fellows were at hand, "and tho' y^e Clerk at that time "came out to the said Rich^d Prichard and asked him his Christian name "but would not say what it was for, only, as he was afterwards informed, "that it was in order to make him a party in y^e Bond to whom in conjunction with the Master the said security was given."

This bond, he said, was never shown to the Fellows, and as to the £1000 statute he said that "ye master at a private sitting did show some sort of "Paper or Parchm^t alledging it to be y^e same but none of the fellows saw "any thing of y^e manner of Performance, y^t is of y^e Warden's actually "entering into such statute nor can he be otherwise sufficiently assured "that y^e same security was duly given."

His Grace declared "that the Bookes not being given by the ffounder "but by one M^r. Cartwright by his will, and there being a suit yet "depending about the same, and the Master having given security to "answer them if the suit should goe against the Colledge, he was not to "blame to keep the key of the room where they are to secure them. But "his Grace will make an order about the manner of access to them."

17. The seventeenth article accused the Master of receiving the butler's bills for expenses of bread and beer weekly in his own chamber, "not "exhibiting them to the board at private sittings as formerly practized, "and forbidding the Fellowes by colour of a pretended statute to make any "inspection into the affairs of the Buttery, Kitchen or Larder whereby the "Fellowes are in a great measure ignorant of the expenses thereof and they "are unwilling there should be any Stewards of the Provisions according "to the true intent of the ffounder."

The Master denied the first accusation, as to the butler's bills, and said that if the butler had occasionally omitted to produce them at the weekly sittings it was not by his order, but against his will. And as to the exclusion of the Fellowes from the kitchen, &c., he justified it by the 59th statute, and further stated that the 87th statute made the chanter's stewards by turns, and that as there never were any chanter's, there were consequently no stewards.

Mr. Prichard, in his replication, reasserted that the Master and Warden connived at the butler's not bringing his bills before the weekly private sittings, and argued that the prohibition of the presence of Fellowes in the kitchen, &c., was based upon the existence of a steward, who was to superintend the victualling department and attend the private sittings to give any information, and to check the Warden's accounts. He contended further that the office should not have been allowed to lapse, on account of it being assigned to a chanter, but that one of the Fellowes should be steward, so that everything might not be in the hands of the Master and Warden as at present.

To this article "His Grace declared the Master not faulty nor any proof of this article. But did admonish the Butler to shew his bills when any desired to see them."

18. The eighteenth article alleged that persons had been elected as poor brethren and sisters who had not belonged to the Founder's almshouses as directed by the statutes, and instanced the case of Yeo, a poor brother.

To this the Master and Warden replied that the statutes provided that in case of failure of persons qualified under the statutes in the parishes named, persons from other parishes might be admitted, "which was the reason that the said Yeo was presented by the Churchwardens of St Saviours Southwarke as an object of charity and came in by lott according to the Statute for electing the poore men."

Mr. Prichard reasserted that several of the poor brethren and sisters did not come out of the almshouses, and that several scholars were not qualified according to the statute, and argued that either the charity had been abused or else that "y^e additional and unauthorised Beneficence of the Founder to y^e three out Parishes and 30 out members is not so great a Charity as is pretended by their churchwardens who cannot find a competent number of fitt objects for it."

His Grace declared there was no cause of complaint, and that the Master and Warden had acted according to the statutes.

19. The nineteenth article alleged that the statutes were not observed in the instruction and education of the children and in settling four of them abroad at the University, and setting forth others to trades befitting their capacities, according to statutes 66, 67, 68, &c.

The Master and Warden denied that there had been any breach of the statutes, boys being apprenticed and sent to the University in accordance with them. "And as to the instructing and educating the children, the care thereof belongs to the schoolmaster and usher and if the said Richard Prichard does know of any neglect therein hee should have complained thereof to these Respond^{ts} and they now desire hee may declare where the fault is."

Mr. Prichard's rejoinder was, "that y^e Schoolmaster and usher for not complying with y^e Respondent's unjustifiable proceedings and management of y^e College affairs have been much discouraged by them from minding their charge so as to make it a flourishing school and being molested and uneasy in their stations have been forced to imploy much of their time in seeking other Preferment. That there is but one Scholar from y^e College maintained in y^e university whereas statute 81 doth ordaine there shall be allways four. And that there is but six pounds allowed for putting forth Boyes to Trades, whereby they are discouraged

“ from making such Improvement in their learning as with a greater sum
 “ they might be capable of better trades then what they are generally
 “ bound to.”

His Grace declared there was no cause of complaint, and that the charge was false and scandalous.

20. In his twentieth and last article Mr. Prichard said, “ That the
 “ Master and Warden doe detain from the three senior fellowes what wee
 “ hope to prove their just Sallary as also share in a Dividend which ought
 “ to be made and distributed to and among the Master Warden four
 “ fellowes six poor Brethren, six poor sisters and twelve poor scholars not
 “ permitting till of late by your Grace’s order to make a full inspection into
 “ the antient writeings of the Colledge in order to have a true notion of the
 “ nature of the Constitution and their own right, whereby the Master and
 “ Warden have injured the Fellowes and others in many particulars. And
 “ many other matters irregularities and disorders I have to lay before and
 “ complain to your Grace of when your Grace will be pleased to appoint a
 “ Visitation in form to receive them and without which we have no hopes
 “ of haveing the aforementioned and other grievances that wee lye under
 “ redressed reformed and amended, nor the Colledge in that peace and
 “ quiet as the Members thereof doe heartily wish and desire. Wherefore
 “ and for the reasons aforesaid, wee humbly pray that your Grace will be
 “ pleased to appoint a Visitation of the said Colledge in such manner and
 “ to such effect as to your Grace shall seem most just and reasonable.”

The Master and Warden replied to this, denying that the Fellows’ salaries had been detained, Prichard always having had his, and asserting that no dividend could be made until there was £100 in the chest, which was not then the case.

They further denied any matter of complaint by reason of exclusion of the Fellows from the inspection of the “ ancient writeings,” nor “ do they know
 “ why they should desire to inspect them unlesse with designe and in hopes
 “ to find out something by which to doe the Colledge a mischeife.”

They also denied that any money had been kept back from Prichard except fines, which went to the use of the College, and not to their own benefit.

As to the profits of the churchyard, they denied the right of the preacher to them, and they concluded thus: “ And these Respondents
 “ humbly submitt this their Answer to your Grace, and hope that your
 “ Grace will find these suggestions of the complainant Richard Prichard to
 “ be false and malicious: And humbly pray your Grace will be pleased to
 “ take care for the quiett and well being of the Colledge and to expel the
 “ said Richard Prichard as a member ungratefull to the Founder and
 “ unfitting to bee in this Society.”

In his replication Mr. Prichard said that by the deed of consecration of the chapel the Founder bound himself to pay the minister officiating 20 marks yearly salary, together with diet, lodging, &c., "with furniture for his lodging and such like conveniences as he humbly hopes may be implied in y^e words 'alet et sustinebit,' and that during his lifetime the Founder paid the preacher £26. 13s. 4d., the schoolmaster £20, and the usher £13. 6s. 8d., stipends, besides diet, &c. He argued that when the Founder, by his statutes, reduced the stipends to £12 to each of the 1st and 2nd Fellows and £10 to the 3rd and 4th, it must have been to provide for the chanters, and these having been declared illegal, the reduction of the stipends should be abrogated. He asserted that one of the respondents proposed to apply to the Visitor to settle the chanters' stipends upon the Master, Warden, and Fellows, and that the Warden being asked how he could provide for the expenses if they were so settled, "he said he would engage to find out a way for it, or words to that effect, but the fellows not jointly concurring therein, blasted the Design."

He then claimed as minister or curate of the chapel, as a chapel of ease to Camberwell, the 20 marks yearly stipend; 2dly, he claimed the £12 per annum allowed by the statutes to a Fellow. Further, he stated that the statutes appointed two preachers, there being actually only one, and as in former times Fellows had received double stipend for the performance of the duties of two officers, he ought to receive an increase of stipend, which he prayed his Grace to allow to such an amount as might encourage him and his successors for y^e future to performe the s^d double duty with cheerfullnesse, Industry, and sincerity."

To the second head of the reply, he asserted that on the then Master making up his accounts as Warden for the last time, he had £126. 5s. 8d. in hand, and that £100 was then put into the chest, and that a dividend ought to have been declared of the remainder; and that on several subsequent occasions there was a surplus available for dividend, but that none was declared.

As to the fines imposed upon him, Mr. Prichard alleged them to have been illegally imposed, and prayed that the amount of them might be restored to him, and that his Grace "will order y^e s^d Respondents to make him compensation for y^e Injury he sustained in his illegal expulsion and forcible exclusion out of his chambers and comons and consider y^e charges he was at in reversing y^e s^d expulsion."

Lastly, Mr. Prichard asserted that the burial ground, having been consecrated in 1616, "could be no Parte of that estate w^{ch} was settled upon y^e College in y^e yeare 1619 and 1620 Therefore y^e Profits arrising from thence cannot belong to y^e College or to any other Person besides y^e minister according to the Law and Custom of y^e Land, however y^e s^d

" Respondents have detained y^e same from y^e s^d Richard Prichard for these " five years last past and upwards."

The Archbishop finally declared " he did not find the salaries were " detained," and Mr. Baker and Mr. Rhodes, two of the Fellows then present, being asked, declared they were not.

His Grace also declared that no dividend was detained; that the preacher had no right to any profits of the churchyard; that there was no proof of any other parts of this article; and that the Master and Warden were clear of any imputation charged upon them in these articles, or any of them.

Mr. Garraway, the schoolmaster, also presented a complaint, consisting of twelve articles. The complaint itself is not extant, but the answer of the Master and Warden in Archbishop Tenison's Register shows that they must have been mainly objections to the admission of assistants and outmembers, and to the Injunctions of Archbishop Sheldon, already objected to by Mr. Prichard. The Master and Warden practically referred to their answer to the former articles. One article, however, seems to have referred to a supposed irregularity in the admission of Mr. Rhodes, the usher, to which the reply was as follows :—

" To the pretended reason, marked No. 9, under their previous protesta-
 " tion, they answer that in the year 1692, the present usher, Mr. Rhodes,
 " stood for that place in competition with one Mr. Oliver, and upon their
 " drawing for it the lot on which ' God's Guift ' was wrote was drawn by
 " Mr. Oliver, and he was thereupon admitted usher, and executed the place
 " for some time, and then, being disabled by sickness to execute the same
 " longer, Mr. Baker, the then and now schoolmaster, did take upon him
 " both places, and did the duty of schoolmaster and usher till the said Mr.
 " Oliver's death, which happened in the month of September 1692; and
 " then, the place of usher being void, and the said schoolmaster indisposed
 " to read prayers twice a day, as well as teach school, did apply himself to
 " the rest of the Society, and desired he might be excused from performing
 " the duty of schoolmaster and usher, in regard it was too hard for him, and
 " thereupon the Society did unanimously agree that the said Mr. Rhodes
 " should supply the usher's place till one should come to draw lots for it,
 " and that the said Mr. Rhodes undertook to supply, and did supply, that
 " place of usher for about six weeks, and no person coming within that
 " time to draw for the place, the then Archbishop of Canterbury did by his
 " order in writing* confirm the said Mr. Rhodes in the said place of usher,
 " as has been heretofore done by former Archbishops of Canterbury,
 " visitors of the said College, and the complainant, Charles Garraway, came
 " into his place in the like manner by the visitor's order, and not by

* The order is still preserved at the College.

“drawing lots, and the said usher was paid for no longer time than he performed the duty thereof, and the complainant, Charles Garraway, did no way oppose the same, but agreed thereto, only he did not sign the book of accounts, nor had he signed any for a long time before.”

On the 15th November 1695, the Archbishop in person, “attended by the Right Worshipful George Oxenden D^r of Lawes, his Vicar Generall, Edward Tenison Esquire his steward, the Worshipfull Bryan Fairfax D^r of Lawes his secretary and severall other persons,” visited the Colledge, and did make a personall view of the said Colledge or Hospitall, and of the Outhouses thereto belonging: and first his Grace went and viewed into the Chappell belonging to the said Colledge and afterwards went into and viewed the Rooms or lodgings belonging to the Master Warden and Fellows, the Schole, the lodgings of the six poore men and six poore women and the severall offices and outhouses belonging to the said Colledge, and likewise viewed the outsides of the said Colledge, and having so done, his Grace declared that the said Colledge and offices and the Outhouses thereto belonging were in good and sufficient repaire, excepting the Brewhouse which was much out of repaire and soe had beene as his Grace was credibly informed for above forty years last past and had not within that tyme beene used for a Brewhouse, and his Grace considering the state of the Colledge declared that they were not in a condition to rebuild the same nor did hee find that the want thereof was any Inconvenience to the said Colledge.”

The Archbishop then “monished M^r Prichard not to insist upon any thing relateing to the outmembers or repairing the highways, it having been already overuled, then the Articles or Petition of the said Richard Prichard against the aforesaid Master and Warden was read and the consideration of them referred to Monday Morning next ensuing. Then the Master and Warden prayed that the said Richard Prichard and Charles Garraway might be admonished to signe the wardens accompts upon which the said Garraway gave in a paper in writeing and he declaring that it contained chiefly exceptions which had been already overuled his Grace admonished the said Richard Prichard and Charles Garraway to signe the aforesaid accompts of the Warden by or before the aforesaid Monday Morning sub pœna juris and adjourned the further consideration of this Business to nine of the Clock the said morning to his pallace of Lambeth and monished the said Master and Warden and the said Richard Prichard, Thomas Baker and Charles Garraway and all others concerned herein then and there to appeare.”

Accordingly all parties appeared at Lambeth on Monday the 18th November 1695, and Mr. Prichard's articles being again read, “and the said Richard Prichard failing in the prooffe of the same saveing what

“ related to the library and keeping the Colledge seale (ab^t which his Grace
“ declared he would make an order) his Grace declared the said Master and
“ Warden clear of any Imputation charged upon them in the said Articles
“ or Petition as appears more fully in his Grace’s declaration made at the
“ end of every one of them. Then the Master informed his Grace that the
“ said Richard Prichard and Charles Garraway had not signed the accompts
“ according to his Grace’s order, whereupon his Grace againe admonished
“ them to signe the same, and they not makeing any objections against
“ the said accompts but again in further contempt of his Grace’s admoni-
“ tion still refusing to signe the said Accompts, his Grace decreed them the
“ said Richard Prichard and Charles Garraway to bee suspended from their
“ offices and the profitts of them and their Commons to the sixteenth day
“ of December next and ordered the Master to provide other persons to
“ officiate for them in the meantyme, but declared that they might have
“ the use of their Chambers and access to the Chappell at tyme of divine
“ service during their suspensions : then his Grace monished the said Master
“ and Warden, the said Richard Prichard and Charles Garraway and all
“ other persons concerned to appeare the said sixteenth day of december
“ aforesaid at Eight of the clock in the morning in this place.”

On the 16th December 1695, the Register proceeds, “ Before the Arch-
“ bishop and Thos. Tylott, Not. Pub. at Lambeth, the said Prichard and
“ Garraway stand suspended to this day for not signing the accompts of
“ the said Colledge and the said Master and Warden, Prichard, Baker, and
“ Garraway are monished to appeare this day, which day the said Master
“ and Warden acquainted his Grace that the said Richard Prichard and
“ Charles Garraway had not signed the said accompts and prayed that they
“ might therefore bee expelled the said Colledge ; then the said Charles
“ Garraway appeared and gave in a Petition which hee desired might be
“ read, and that the said Master and Warden might bee monished to
“ answere in writing to the paper by him given in the fifteenth day of
“ November last which Petition was read, whereupon his Grace declared
“ that the said Garraway had not mençoned accordingly therein all the
“ contempts for which he was suspended but then his Grace ordered the
“ Master and Warden to give in their answere to the aforesaid Paper given
“ in by the said Garraway by the thirteenth day of January next ; then the
“ aforesaid Richard Prichard was called but non appearing the Master and
“ Warden againe prayed that hee might be expelled the said Colledge, where-
“ upon his Grace referred the paine of the said Richard Prichard and Charles
“ Garraway and continued their suspenscon to Thursday the twenty third day
“ of January aforesaid, when his Grace declared he would finally determine
“ this Business and monished the said Master and Warden and the said Charles
“ Garraway and all others concerned herein then and there to appeare.”

The paper which Mr. Garraway gave in on the 15th November has already been noticed. His petition, mentioned above, was as follows :—

To his Grace the most Rev^d. &c. Thomas Lord Archbishop of Canterbury &c &c

The humble petition of Charles Garraway fellow and organist of the said Colledge.

That your Grace's petitioner is most unhappily fallen under your displeasure and suspension from his office and profits in the said fellowship for not subscribing to the Colledge bookes of the Warden's accounts after your Grace's admonition which was not, nor is not refused by your petitioner out of any stubborn humour or contemptuous opposition to your Grace's command or authority but purely out of a scruple of conscience in respect to his duty and oath for the good of the said Colledge and Corporation till better informed as your Petitioner hopes did appeare by his Grounds and Reasons humbly offered to your Grace's consideration. Your Petitioner therefore begs your Grace would be pleased to take his case into further consideration and either solve his said scruple that hee may bee restored to his said office and salerry or bestow some other Employment upon him whereby he may be enabled to subsist and pay those debts the slenderness of the Colledge allowance hath obliged him to contract, And that for want of a Place and Imploy he may not be compelled to run into further troubles.

And your Petitioner as in duty bound shall ever pray &c

CHARLES GARRAWAY.

On the 23rd January 1695, "style Anglice," at Lambeth, before the Archbishop, Thos. Tyllott, Not. Pub., and others, the Master and Warden and Garraway appeared, but Prichard was not present. The accounts not having been signed, on the petition of the Master and Warden, sentence of expulsion was formally passed on Richard Prichard and Charles Garraway, in the presence of Dr. George Oxenden, Vicar-General, Ralph Snowe, Esq., George Past, and others.

In consequence of these expulsions, Mr. Baker, the schoolmaster, was promoted to be preacher, and Mr. Rhodes, the usher, to be schoolmaster, but no appointment was made to the usher and organist's fellowships until 1698, though it is on record in the Register that "John Reading was organist during the intervening two years and upwards yet never admitted to the status of a fellow."

This John Reading's portrait is in the College, the picture catalogue thus describing him on the authority of Mr. W. H. Cummings :—

John Reading, born 1677, was a musician of high reputation in his time. He was one of the children of the Chapel Royal under D^r John Blow, and remained in the Choir of the chapel until 1700. In 1702 he was appointed "Junior Vicar and poor Clerk" of Lincoln Cathedral, and, in 1704 "Instructor Choristarum in musicâ vocale" in the same Cathedral. He afterwards returned to London, and was organist of S^t John's, Hackney, of S^t Mary Woolnoth, and of S^t Dunstan's in the West.

He was a composer of both sacred and secular music. Manuscripts of his compositions are preserved in Lincoln Cathedral and in Dulwich College.

The following compositions of Reading are extant in print, "A book of New Songs

"after the Italian manner, with Symphonies and a thorough Bass, fitted to the Harpsichord," and "A Book of New Anthems." The well-known air "Adeste Fideles" has been sometimes attributed to him, but was probably the work of his father, John Reading, who was also the composer of the popular Winchester song "Dulce Domum."

Unfortunately, some of the volumes of music in Reading's own handwriting, which were presented by him to Dulwich College, have been allowed to pass out of the possession of the College. Of these volumes, one is now in the possession of the Royal Academy of Music, and two in that of Mr. W. H. Cummings.

The order for the fine on the Warden which had been inserted by the Fellows in the Register Book was in accordance with the Archbishop's order expunged by the following note written at the bottom of the page:—

"This order was made null and void by the Visitors direction."

JOHN ALLEYN M^r.

THO: BAKER

JOHN RHODES.

At the audit on the 4th March 1695/6, the expulsion of Prichard and Garraway was notified; £17 was at the same court allowed to Isaac Dismawitts, a former poor scholar, towards his degree of Master of Arts.

It will be remembered that in 1681, the lawsuits then pending between the College and Mr. Anthony Bowyer, concerning the tithes of the woods and grubbed up lands were brought to an end by Mr. Bowyer granting a lease of them to Dr. John Alleyn, the Master, for the term of his life.

This lease, of course, expired at his death in 1686, and whether because the College was anxious again to try the question of his right, or because, as was alleged, Mr. Bowyer asked too large a rent, it was not renewed, and legal proceedings were recommenced.

Mr. Bowyer brought an action in the Court of Exchequer against Faver Barrett, David Payn, and George Gibbs, who in their answer thus state the circumstances:—

On the 10 January 1687/8 David Payne together with one Watkins agreed with the College and by bargain and sale bought of them two woods called the 50 acres, to be cut down at two falls and to be carried away in two moieties by the 29th Sep. 1688 and the 29th Sept. 1689, paying £152. 3s. 6d. by sundry instalments. John Watkins transferred all his interest in the Bargain to Faver Barrett and George Gibbs. They accordingly cut the wood and no claim was made for tithes, nor had any been previously in their recollection until October 1690 when plaintiffs servants forcibly took away several loads of Bavins and faggots. David Payne also on the 19th dec^r 1689 bought the wood in the 40 acres coppice and by leave took into partnership, George Gibbs and ffavor Barrett Jun^r. son of the Defendant. These three cut down and sold the wood. . . .

They have heard that it had been agreed between the College and Plaintiff that £5 per annum should be paid in full satisfaction for the tithes during the life of the Master deceased about 5 years ago, and that it was proposed that this arrangement should be continued but that Anthony Bowyer asked much more and consequently they

were driven to take opinion as to his right and were advised to resist payment altogether. That in October 1690 the Plaintiff violently seized some of their wood, whereupon the College humbly entreated him to bring the matter to trial, but he being a member of the house of Commons not only refused to comply, but threatened them if they made any opposition, to complain against them to the house for breach of privilege. And the Defendants pray that the Plaintiff may be held accountable for the wood carried away and "that so if he prove his title they owe him little or nothing, but if "the woods be declared tithe free then the value of the wood may be repaid them."

(Dulwich add^d MSS.)

The College, besides defending the above suit against the purchasers of the wood, presented a petition to the House of Commons, or at least proposed to do so, for there are at Dulwich no less than seven drafts of petitions complaining of Anthony Bowyer, a member, carrying away wood under pretence of tithes, "whereupon this College did humbly apply themselves unto the said M^r Bowyer desiring him to forbear such methods and "wthall offered to have it tryed further w^{ch} y^e s^d M^r Bowyer refused and "threatened your Petitioners with breach of Priviledge if they did not "submit."

No result of the petition is recorded, and the suit in the Exchequer continued, an order being made on the 4th February 1692, that the defendants should account with the plaintiff for the tithes for 1687-1690, and referring it to Tobias Eden, Deputy to their Majesties' Remembrancer, to assess the amount due.

Mr. Eden presented his report, awarding to Mr. Bowyer the sum of £58. 1s., to which the College excepted, maintaining that the amount was too high by at least £24; but the report was upheld and confirmed by the Barons of the Exchequer on the 5th December 1692, and the costs against the College taxed at £37.

The Society seem to have contemplated an appeal to the House of Lords, four drafts of such appeal being among the College papers, but do not appear to have prosecuted it. They, however, presented a "bill of "reviewe," to which Anthony Bowyer successfully demurred.

On the 30th December 1692, the latter addressed a letter to the College, asking for a cessation of lawsuits, of which he was heartily tired, to which a reply was sent, insisting that the Society were bound by their oaths not to compromise any suits, and that the real question had not yet been tried.

Mr. Bowyer then presented a second bill against George Gibbs, and the litigation continued until 1695, when a decree was made on the 21st February 1695/6, whereby it was ordered by consent that the College "shall account to the Plaintiff Bowyer for the tythes of y^e woods in question and all woods since felled to this tyme, w^{ch} is by consent to be computed after y^e rente of £6 per annum from y^e tyme of y^e last decree wth

“ moderate costs to be taxed for y^e plaintiff Bowyer in y^e originall cause
“ and y^e crosse bill is dismissed wthout costs. And it is further ordered by
“ consent that the plaintiff shall make a lease to the collēge of all the tythes
“ of the college wood in question at the rate of £6 per annum.” The costs
against the College were taxed at £23.

This settlement appears to have been finally acquiesced in, for there is no further mention of any difficulties on the subject, and the £6 per annum was regularly paid as tithes up to a period within living memory.

For several years after this date the College seems to have been at peace, as no extraordinary circumstance is recorded either in the audit books or the Register.

On the 15th March 1702/3, as appears from a memorandum on the fly-leaf of the Register Book, “ the communion table was railed in on both
“ sides.”

On Friday, May 28, 1703, “ The colledge porch with y^e Treasury
“ chamber &c tumbled down to y^e ground ” (Register). And on the 28th
February 1703/4 a poor scholar named Edward Jinks “ was whipt and
“ expelled for theft.”

At the audit on the 4th March 1703/4 it was ordered “ That one silver
“ bowl, the gift of Thomas Alleyn, 1668, the third Master, one other silver
“ bowl, the gift of Matthias Alleyn, Master, and one other silver bowl
“ marked G.G.C., the gift of Sir John Lenthall, 1637, these to be changed
“ for one silver tankard of like value, with the same inscriptions and arms.”

Meanwhile, of the Fellows remaining after the expulsion of Prichard and Garraway, Mr. Baker, the preacher, had resigned or had been removed by the Visitor’s letters on the 1st April 1701, and John Rhodes, the schoolmaster, had died on the 19th December 1701. John Dacie, who had been appointed usher in 1698, and James Henstringe, who had also been appointed organist in the same year, had left, without the cause of their removal being recorded; and Job Brockett had been elected preacher on the 3rd December 1701; Joseph Billington, schoolmaster, on the 21st January 1701/2; Rupert Sawyer, usher, on the 11th March 1702/3, and William Howell, organist, on the same day.

Mr. Brockett made his mark on the Register, being fond of long and elaborate entries, describing the recipients of his functions as “ baptizati,
“ matrimonio juncti, and Sepulti.” He died on the 2nd January 1704/5, and was buried in the College chapel. He bequeathed his books to the College. The Dulwich MSS. (vi. 44) contain a catalogue of these books, almost all of which still remain in the library.

On the 3rd August 1706, Mr. Billington, the schoolmaster, was promoted to succeed Mr. Brockett as preacher; and on the 6th October 1706, Mr. James Hume, M.A. of Edinburgh, was admitted schoolmaster by letters

from the Visitor. This Mr. Hume was without doubt the most able and remarkable of the Fellows, either before or since his time. Nothing is known of his birth or parentage, but he graduated M.A. at the University of Edinburgh in 1699, and was admitted schoolmaster by the Archbishop, as above mentioned, in 1706, having previously taken the duty for six months.

He speedily took the lead in all College affairs, and maintained it until his resignation in 1730, when he was preferred to the vicarage of Bradwell, Bucks, in the diocese of Lincoln.

He was the author of the following Latin inscription, which is over the porch at the entrance of the College :—

Regnante Jacobo
 Primo totius Britanniae monarchâ,
 Edwardus Alleyn Armiger
 Theromachiae Regiae praefectus,
 Theatri Fortunae dicti Choragus
 Aevique sui Roscius,
 Hoc Collegium instituit
 Atque ad duodecim senes egenos,
 Sex scilicet viros, et totidem foeminas,
 Commode sustentandos
 Paremque puerorum numerum alendum,
 Et in Christi disciplina et bonis liberis
 Erudiendum.
 Re satis amplâ instruxit,
 Porro,
 Ne quod Deo dicaverat postmodum frustra fieret
 Sedulo Cavit.
 Diplomate namque regio munitus, jussit
 Ut a Magistro, Custode, et quatuor Sociis
 Qui et conscientiae vinculis astricti,
 Et sua ipsorum utilitate admoniti,
 Rem bene administrarent
 In perpetuum regeretur.
 Postquam annos bene multos Collegio suo praefuisset
 Dierum tandem et bonorum operum satur,
 Fato Concessit
 VI Cal Dec^{bri} A.D. MDCXXVI.
 “Beatus ille qui misertus est pauperum.”
 “Abi tu et fac similiter.”

Mr. Hume originally wrote the final lines thus :—

Postquam annos aliquammultos Collegio suo praefuisset,
 Vitæ tandem Fabulâ pulcherrime peracta
 Scenæ subductus est. Plaudite.

But Dr. Gibson, then chaplain to the Archbishop of Canterbury, and subsequently Bishop of London, considered them wanting in dignity, and they were replaced by those in the inscription.

He also presented to the College the font which is still in the chapel, made by Mr. Van Spangen from a design of Mr. Gibbs, architect, and bearing the reversible Greek motto,—

Νίψον ανομῆμα μὴ μόνον ὄψιν.
(Wash away sin, not the visage only.)

Mr. Hume kept a common-place book, in which are many papers connected with Archbishop Wake's visitation in 1723, the case of Taylor *v.* Dulwich College in 1720, the suit of the Attorney-General *v.* Dulwich College in 1728, and the subsequent petitions of the churchwardens to the Archbishops, which are largely quoted from in the sequel. Besides matters connected with the College, the volume contains an Account of a Journey to France (see vol. II.), and many Latin letters, verses, and translations.

The first page of this book bears the following inscription :—

Sept. 25. 1727

Nisi utile est quod facimus, stulta est Gloria! This book containing many things that may be of great use to the College some time or other, and not to be found anywhere else, I pray it may be carefully kept and delivered to one of the members when Discretion shall direct.

J. H.

Notwithstanding this direction, the volume was absent from Dulwich for fifty years, when in April 1779 it was offered for sale with the rest of the contents of the library of Sir George Hay of Doctors' Commons.

In the book itself are letters addressed to an intimate friend of Hume's, named Hay, in one of which he alludes to George as his friend's son. It is probable that this Hay came into possession of the book, and declining or neglecting to act upon the direction on the first page, left it to his son, who was afterwards Sir George Hay.

However that may be, it was purchased for the sum of 7s. by Thomas Alleyn, the then Master, who wrote the following, after Mr. Hume's above-quoted direction :—

At the sale of the Library of Sir George Hay late of Doctors' Commons This Book was put up to sale, by the title of Manuscripts relative to Dulwich College. And it was bought by Thomas Allen at 7/. the master of the College and therefore it is his own and does not belong to the College.

April 1779.

And lastly, Mr. Nevile Stow, schoolmaster, made this memorandum in 1805 :—

Mem. I have heard the late master Thos. Allen mention several times that this
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book of M^r Hume's was purchased by an acquaintance of his at a sale who said that as it related to Dulwich College, he thought the Corporation had the greatest right to it. He therefore gave it to the Master who frequently has said that he would leave it to the College at his death.

NEVILLE STOW, Fellow
Sept^r 1. 1805.

When and how the book left the College is unknown, but it is now in the British Museum, numbered Additional MSS. No. 29,477.

Mr. Hume at his admission was without an usher, Mr. Rupert Sawyer having died in May 1705. It was not till the 25th March 1709 that a successor was appointed in the person of Mr. John Beresford, M.A.

Mr. Hume's papers contain a document relating to the management of the school, which gives a somewhat low opinion of Mr. Beresford's qualifications.

However hindered in the school, Mr. Hume took a great interest in the College affairs generally, and as early as 1708 he is found advocating the division of surplus moneys, by way of dividend, and the reduction of the College expenses in order to increase the said surplus.

The following paper is the first in his common-place book :—

Some objections against a Dividend have been drawn from the Injunctions procur'd from the Visitor Anno 1664. But waving many useful remarks that might be made upon them, I shall only observe two or three things in general.

1. The power of the Visitor cannot be conceived to extend to the altering or changing the Foundation of the College, or any Statute or Ordinance made for the governing y^of, wh we are sworn to maintain inviolably: but only to the enforcing the observation of the Stat: by his Authority, & interpreting them where they are doubtful :

2. Several things were possibly indulg'd the Society when the Injunctions were procured, because of some particular exigency of y^e time, as Polygamy and Divorce were allow'd the Jews for the hardness of their hearts: And this seems to be countenanced by the last paragraph of the Injunctions, where it is said that these Orders shall be in force till a better and more perfect settlement shall be obtained. It is obvious to imagine that after the College, as well as the nation, had been so long unhing'd, the Foundation alter'd & corruptions deeply radicated by custom, that it was no easy matter to reform all at one dash; and therefore, phaps, this paragraph is subjoyned, to intimate, that tho' these orders were not the best that might be made, and the most agreeable to the statutes, yet they were the best that time could bear, & therefore to be observ'd till a more pfect settlement could be obtain'd to fix the Corporation upon its natural Basis.

3. So far was it from the thoughts of the wise and pious visitor to command anything that might involve a whole Society in the guilt of perjury, that he has positively injoynd (Inj. 1) That the members of this Society shall do their respective duties, and enjoy the Emoluments of their places according to the statutes, which all are Sworn at their admission to observe according to their plain and grammatical meaning, without procuring any dispensation or absolution from the same, or accepting any such if it should be procured; and this, one would think a sufficient fence to secure

the observation of the Stat: For all good Casuists do pronounce without hesitation That a voluntary and deliberate Oath, is so obligatory upon the Conscience, that no power on earth can dispense with it, if y^e subject matter of it does not imply a contradiction, or be not absolutely wicked in itself, & repugnant to the Laws of God. So that this clause in the forecited 1st Injunction Unless dispens'd with by Us &c. seems to refer to those statutes only, which clash with the Deed of Foundation or interfere with one another, or that might have been judg'd to contain something unlawful in itself, or contrary to the Laws of the land. If any of our statutes are impossible to be p^{er}formed, imply a contradiction or injoin something repugnant to the Law of God, such statutes want not to be dispens'd with at all, for they were ipso facto null & void from the beginning. If any of them are found contrary to the Laws w^h exact a Duty of the subject, & those which conferr a right, or entitle to certain privileges: The former sort cannot be vacated by the Local Statutes of any Corporation because they are of an antecedent Superior, and universal obligation, but the latter I conceive may, and that for this plain reason, Because every Man may part with his Right for a valuable consideration: For if I accept of a place upon this condition that I make a voluntary cession or resignation of such and such priviledges to w^h I have a legal title I am certainly bound by virtue of that contract, not to lay claim to such privileges so long as I hold y^e place. This might easily be illustrated in the cases of marriage, executorships &c. But

4. I cannot but observe the laudable and exemplary conduct of the society about the time that these Injunctions were procur'd—*Si sic omnia fecissent!* The Corporation had sustain'd great losses viz 2400^l by the decay of the Fortune Playhouse & rebuilding one wing of the College & part of th' other, besides the devastations, depredations, &c, that are the usual concomitants of a Civil War, & the unsettld state of a Nation: Yet they had brought the Revenue very near the first settlement viz 800^l per ann: paid off all their debts, had 100^l in the Chest according to the statutes & 139^l over and above, and were in such a flourishing condition that the visitor thought fit absolutely to enjoin that in all time to come 10^l a y^r should be paid towards the reparation of the Ways to Camberwell, as judging it improbable that the College would, at least in a long time, fall into such a condition, as not to have the fors^d sum in the Treasury

'Αλλ' οὐ Ζεὺς ἀνδρεσσὶ νοήματα πάντα τελεῖται.*

I have now finished what I had to say upon these matters. If I am mistaken in anything I here advance concerning the constitution of this house, I desire to be better inform'd. I pretend not to obtrude my private sentiments upon any body, nor dogmatically to determine what is the true purport and meaning of the Statutes. I leave that to the wisdom of my Superiors. I meant not hereby to give any one the least ground of offence, and hope that what I intended well will be well taken: and to prevent likewise, if possible, all misconstructions I declare myself willing to renounce any advantage that may accrue to my self by the Dividend I have been pleading for, provided that others be restor'd to their Right.

J. H.

(Memo: inserted at a later date)

N.B. Hoc de Republicâ nostrâ pusillâ benè merendi studium magnam Authori conflavit invidiam. Sed tandem, favente Numine, feliciter cessit: Anno quippe 1713 (atque ita deinceps) magno totius sodalitiî bono, facta est Partitio secundum statuta

* *Iliad*, Book xviii. line 328. But Jove fulfills not all that man designs.—(Lord Derby's Translation.)

atq, anno 1724 eodem annitente, reluctantibus nequicquam non solum inimicis, sed ijs, etiam, (quis credat!) quorum res agebatur, stipendia sociorum adaucta sunt.*

Ἀμύχανον δ' ἐν Ἀπραγίαις φθόνον διαφευγεῖν.
(It is impossible to escape envy when idle.)

On the 4th May 1712, John Alleyn, who had been Master since 1690, died, being succeeded by Thomas Alleyn, the Warden, and at an election held on the 26th May James Alleyn was chosen as the new Warden.

* *Translation.*—The desire for deserving praise from this little state of ours roused great ill-will against the author. But at length, by the will of heaven, this luckily ceased. Moreover, in the year 1713 (and from that time forth), a division according to the statutes was made, to the great advantage of the whole Society, and in the year 1724, by the exertions of the said author, the stipends of the Fellows were increased, notwithstanding the opposition not only of its enemies, but even, difficult as it is to believe, of those whose chief interest it was.

CHAPTER VIII.

THE COLLEGE BETWEEN 1712 AND 1728.

THOMAS ALLEYN being now Master, James Alleyn was elected Warden on the 26th May 1712, and his accounts, presented on the 4th September, showed a balance in favour of the College of £91. 6s. 1d., with arrears of £142. There had now, for some years, been a considerable sum in hand at the audits, and there was an agitation for a dividend. Mr. Hume took a principal part in this movement, and as early as 1708 wrote the following paper, which, as it is an excellent example of his style, and gives an interesting account of the internal economy of the College, is inserted entire :—

A memorial to the Mast^r. Warden and Fellows of Dulwich College 1708.

This College is an eleemosynary Foundation, but the officers of it are not the objects of the Founder's charity, but Overseers of the Poor & trustees for their good : So that whatsoever is done or assented to by any members of this Society, with regard to the Revenue of the House, that may tend to the defeating this charitable intention of the Founder is a breach of trust, and contrary to their Oath. The benefit of the Poor and doing justice to every member of the Society ought to be the ultimate end of our Administration.

The meaning of that precept, "Thou shalt not muzzle the ox y^t treadeth out the corn," is, That Men are oblig'd to reward those that take pains for them. Accordingly it is reasonable to think the Founder intended that the officers of the House (some of whom are required by the Statutes to be Masters of Arts at the least, Graduates and divines) should have a competent & honourable maintenance assign'd them out of its Revenues ; and this he has done, but wisely order'd that their interest should be interwoven with that of the poor, And the increase of their stipends depend in a great measure upon their own industry and frugal management.

A yearly Dividend seems to be one of the most material & cardinal parts of the Constitution, and necessary both from the nature of the thing & the intent of the Founder. That the nature of the thing requires it is too plain to want proof. Times are much alter'd since the College was founded : Whatever our Salaries were at first, 'tis certain they are far from being a competency now : And this is the reason why some of our places have been often ill supply'd. For few that are well qualify'd will accept so mean a place as some of ours are, to fix & settle upon & make it their whole business, but only for a present subsistence, till a better can be got, and necessity sometimes puts them upon finding out some commodious interpretation to avoid the force of the Statutes, or obtaining dispensations to hold other business : And when a Man is distracted between two places, 'tis easy to imagine w^{ch} of the two he will be

most solicitous to discharge well, that w^{ch} is fixt & certain, or that which is precarious & depends upon courtesy. And indeed this may be said in extenuation of the matter, that it may be thought somewhat hard, that a Gentleman who has had a liberal Education, should be oblig'd to apply himself wholly to the discharge of an office, whose emoluments are so contemptible, viz 6^d p. diem, & a place at a common Table, tho his circumstances may, perhaps, make it necessary for him to accept it.

That the Founder intended a yearly dividend is manifest from the statute beyond contradiction. He left the annual Revenue of the College 800^l and confin'd our ordinary expences to 600^l p. ann: the salaries and diet of the cancell'd Fellows, & the servants liveries being included: The remaining 200^l he order'd to be dispos'd of in the following manner, and no otherways, viz^t. That, all extraordinary Charges, such as Dilapidations, Law Suits &c being first deducted, 100^l should be put into the Treasury Chest, and yearly supply'd out of the s^d surplusage, if at any time it should happen to be broken upon a sudden emergency. Ten pounds to be paid yearly towards the reparation of the ways to Camberwell; Sufficient money to be left in the Warden's hands for Housekeeping &c. And the rest to be divided, if it should amount to 15^l or upwards. Now the College Revenue being increas'd 200^l p. ann, the reason for a Dividend is so much the stronger. Besides, the Founder having Order'd that if the Revenues should happen to sink under 600^l p. ann., there should be a general Defalcation from the pensions, it is but reasonable that there should be also a general Dividend when it rises so much above it.

If such a yearly Dividend is both reasonable in itself and peremptorily enjoyn'd by the statutes, w^{ch} we are sworn to observe & from which we are neither to procure or accept any Dispensation, it will be in vain to plead prescription against it: For be the abuse never so ancient and inveterate, yet those whom the Founder has entitled to a share in the Dividend are certainly bound to exert their best endeavours that the College revenues may be frugally manag'd & duly apply'd. For he that has a right to the End, has without doubt a right to the means that are necessary to compass that end.

The following Scheme seems to take in all the necessary & essential parts, And tho it may probably have some less material imperfections, Yet being, I presume right in the main, and assign'd for the asserting our own just right (which every man is empowr'd nay oblig'd by all Lawful means to vindicate) & promoting the benefit of the poor & so enforc'd with a double motive both of Interest and Duty, it may I hope pretend to a favourable reception, & a candid & equitable Interp:

The Statutes provide that the Dividend should be shar'd into 600 equal parts, and that each member should have a number of these parts proportion'd to their respective Pensions, i.e. The M^r 40 parts, The warden 30 &c. So that a 200^l Dividend according to the precise Letter of the Statutes would stand thus—

	Parts.	£	s.	d.
To the Master for his	40	13	6	8
The warden	30	10		
The 1 st Fellow	12	4		
The 2 ^d Fellow	10	3	6	8
The 3 ^d Fellow	10	3	6	8
The 4 th Fellow	6	2	0	0
The 12 old Pensioners	109	36	6	8
The 30 Outmembers	39	13		
	256	£85	6	8

The 256 parts here specify'd are all that can be taken notice of as the College is settl'd at present, and the remaining 344 parts cannot be apply'd to the purposes mentioned by the statutes, because, with relation to some of the particulars, as Chambers, Liveries &c it is impracticable & with regard to others unnecessary as Diet, Servant's Wages, apparel &c, these being all abundantly provided for already upon another foot. But is it not against all reason that the nice observation of a form should jostle out the substance, and that by confining ourselves to the strict letter of the Statutes, the Founder's design should be frustrated, which was that the whole dividend should be divided among the whole Society? And that instead of a small remainder which can be but a fraction of 15^u, more than half the Dividend should be return'd to the Warden, tho' he had sufficient money consign'd into his hands to defray the charges of the House till the next receipt of Rent! Therefore, thô a yearly Dividend is, for the reasons above mentioned, indispensably necessary, when there is a sufficient surplusage for it, Yet the particular model prescrib'd by the Stat: which suited the condition of the Society then admirably well, ought to be lookt upon now as no more than a circumstance, and therefore alterable as the present condition of the College, & the nature of the thing do require, provided that in the Distribution, strict regard be had to Justice and Equity, And as much deference paid to the Letter of the Stat: as possibly we can without defeating the design & loseing the Spirit of it. I conceive then that the whole may not unfitly be divided into 300 parts: Now 1st being $\frac{1}{300}$ of 15^u, each one's share in every 15^u to be divided is a Number of shill^s equal to their number of parts respectively, and so a 200^u Divid^a will stand thus—

	Parts.	£	s.	d.
To the Master for his	40	26	13	4
The Warden	30	20		
The 1 st Fellow	12	8		
The 2 nd Fellow	12	8		
The 3 rd Fellow	10	6	13	4
The 4 th Fellow	10	6	13	4
The 12 old pensioners	109	72	13	4
The 30 outmembers	39	26		
The cancell'd fellows parts to be set aside for Reparacions or other uses	38	25	6	8
	pts 300	£200		

Against this I know nothing material that can be objected. Only the last article may possibly be excepted against, because Reparations are otherwise provided for. But here the Remedy is easy: Seeing the 2^a Preacher and 5 Junior Fellows cut off by the ArchBp's Injunctions were intended to be Officers of the House, it seems reasonable that the share of the Dividend w^{ch} would have accrew'd to them should not sink into the Common stock, but be apply'd for the Augmentation of the Several shares of the present officers who discharge all the duty as follows—

	Parts.		Parts.
To the Master	50	The 4 th Fellow	14
The Warden	40	The 12 Poor Pensioners	109
The 1 st Fellow	17	The 30 Out Members	39
The 2 nd Fellow	17		
The 3 rd Fellow	14		300 parts.

If it is alleg'd that the Dividend should be shar'd in such sort that the Master may have $\frac{1}{4}$ more than the Warden, above thrice as much as the Senior Fellow, & 4 times as much as the Junior, it may be answer'd, that the Statute can be understood to extend only to the yearly Dividend in proportion to the Salaries then fixt, but not to any future settl'd augmentation, w^{ch} the Founder could neither foresee nor provide for. Besides the M^r Wⁿ &c have their full tale of parts according to the Stat: viz^t The M^r 40 The Wⁿ 30 &c with the addition of 10 more apiece to the M^r Wⁿ &c out of a common Fund: So that tho' the M^{rs} share with y^e s^d addition does not amount to quadruple one of the Junior Fellows Yet there is no injustice or partiality in the Division, forasmuch as the 38 supernumerary parts w^{ch} lay in common, are distributed with a due subordination as near as may be, assigning the greatest number of parts to the biggest pension.

It has been said with relation to these additional Parts, that one ought not in prudence to lay claim to any more than is his due, least he fall short of what is really so. I own the Aphorism to be true, but deny the Application. For I am so far from thinking it more than we can justly pretend to, that, I doubt not, but if a fair representation of the Case were made to his Grace of Canterbury, He might be easily induc'd to add the Chantorships y^mselves to our places, especially considering that this is a Fund for augmenting our Salaries to w^{ch} the Poor are not entitled by the Will of the Donor. But if this particular method shall be rejected, yet the reasons for a Dividend in general stand good still and if any one shall advance a more commodious proposal I shall readily give in to it.

It has likewise been objected. That in this Scheme of Division no notice is taken of the Article of Diet: But for this abundant provision is already made, either by applying to the use of the present Society the Diet appointed by the Founder for the 6 abrogated Fellows & 3 Servants: or else upon the foot of the Injunctions, without loading the Dividend with an unnecessary Article. Since I have mentioned the important point of Diet I beg leave to take this opportunity of giving my opinion freely about it.

Our want of due Oeconomy in this particular cannot but be very Apparent to all the Society: Nay some of those who have been entertained at our Ordinary have been pleas'd to ridicule our indiscretion in keeping open house, when at the same time we have hardly salary enough to find us clean linnen. And, like *Æsop's Frog* that emulated the Ox, endeavouring to outdo even the A. B. himself. His Grace having confin'd his hospitality to one day in the week, and we forsooth, must keep a publick table every day. And indeed such reflections as these seem not to be altogether groundless. For the Founder having allotted but 10ⁿ p. ann. apiece for diet, bread and beer included, & particularly determin'd the increase of Diet for Feasting days; nay order'd that the person employ'd by the Visitor to visit the school, shall have his dinner for himself & his Man, and meat for his Horse found at the charge of the College for that day, these things I say being so particularly provided for by y^e Founder 'twas certainly far enough from his thoughts that the College should keep a publick table for the entertainment of all straggling guests that had but impudence enough to obtrude themselves upon them to the total exhausting of that Fund, out of w^{ch} by the will of the Donor their annual income was to be increas'd. So far was he from giving the least countenance to such a practice that he has expressly forbidden us to assign over our own Commons to any other person: How then can it be affirm'd with any Sense, that he has at the same time left us at liberty to dispose of what is not our own? It is, I confess a fine thing to have a plentiful Table at command, and

to be in a condition to entertain our friends and visitants at the publick charge. But if the Founder has made no provision for it, as it is certain he has not, where is our right to do so? To say that we assume this privilege as a valuable consideration for our Dividend will not do. For the poor's proportion in a Dividend being with respect to ours as 3 to 2, or thereabouts, it were not amiss to consider, how we can oblige them, whose interest the Founder has made inseparable from ours, w^{out} their consent, to contribute $\frac{2}{3}$ towards the entertainment of our friends & acquaintances? Friends, did I say? nay very often nobody's friends & hardly any one's acquaintances.

But if the alteration of the value of money, & price of provisions be one good reason for the augmentation of Salaries, will it not hold equally for increase of diet? I grant it will: but then this can give no colour for increasing our diet beyond decent conveniency. If the allowance of diet to the cancell'd Fellows & servants being 9 in number, be added to the Statutable allowance of the present members, the little or no necessity of any further augmentation will appear: For thus the M^r Wardⁿ Fellows Boys and Servants shall have 230ⁿ p. ann. for their table all included in the 600ⁿ p. ann. to w^{ch} the Founder has confin'd our Ordinary expences, w^{ch} is about 150ⁿ for 12 men and 80ⁿ a year for 12 boys. This with the Conveniences we have of a good Garden & Orchards, Hoggs, poultery, pigeon-house &c & having all dress'd gratis, is so far from being a scanty provision, that I really think it answerable with good management, to all our ordinary & extraordinary occasions and such as will not exclude reasonable & discreet hospitality, w^{ch} I would not be understood wholly to condemn, but only to have restrain'd within just limits. Cic De Off. L. 1. "Videndum est ut cā Liberalitate utamur, quæ prosit amicis, noceat nemini: Non enim benefici neque liberales dicendi sunt, qui aliis nocent, ut in alios liberales videantur, sed in eadem sunt injustitia, ut si in suam rem aliena convertant." Not to mention the article of Drink which since the cellar is, in a manner, common, & no small beer drunk in the family but by the Boys, must needs rise very high, let one only cast an Eye upon our weekly accts & he will quickly perceive how much we exceed our bounds. I shall mention but two or three instances of many, which I took notice of to you when the books were sign'd.

In the last week of January there was spent by us and the servants 156 $\frac{1}{2}$ lb of butchers meat. In Easter week 200 lb. In the 2^d week of Lent 170 lb. In the 2 last weeks of November 366 lb besides fish, fowl, tripe, bread, beer, butter, cheese, sausages, roots, greens, pudding, spices, &c.

Thus we see how our table expences have swell'd beyond their just proportion: If this be not effectually reform'd what is now propos'd in respect to a Dividend, and what good overtures may be made by others to the same effect, will all prove abortive & fruitless: And it highly concerns the Master and Warden to think seriously of it, for if nothing is done, when the reasons for doing it are so manifest & apparent, it will, by indifferent persons be chiefly imputed to them. And on the contrary, whatever some people may think of it, it will certainly very much inance their reputation in the Opinion of good and wise men, if they shall bend their endeavours to reform abuses introduced by the negligence or — of their predecessors w^{ch} are so detrimental to every particular member of this Society. I offer, wth submission the following Rules, w^{ch}, if duly observ'd, may I hope prove somewhat useful.

1. That in making the weekly Bills the quantity of meat be adjusted, as near as may be, to the number of y^e psons who are to eat it.

2. That whosoever shall invite any person (Tenants & neighbours excepted) shall forfeit, as the Warden propos'd toties quoties.

3. That Workmen & Labourers be paid such wages as they receive elsewhere, without any allowance of meat and drink.

4. That none of the Servants presume to dispose of any thing under their charge, without express Orders. Let them have good Rules given them, & be oblig'd under the severest penalties to execute y^m accordingly.

If these, or such like regulations were made, it is not to be doubted but that the annual income of every member of the Society, would ordinarily amount to considerably more than it is at present; to w^{ch} augmentation, I humbly conceive, they have as good a right viz^t founded upon the statutes, as they have to their stated Salaries.

At the audit on the 4th March 1713/4 there was £201. 12s. due to the College, with arrears of £234, and £100 was again put into the Treasury Chest; Richard Grinsel, a poor scholar, being sent to the University at the same time. On this day also Thomas Clark, whose portrait is still in the College, was elected organist. On the 4th March in the next year, 1714/5, the amount due to the College was £221. 7s. 3½d., with arrears of £226. And the advocates of a dividend at last prevailing, £200 was divided into 600 parts, as per Statute 118, and shared among the Society as follows:—

The Master for his 40 parts	£13	6	8
The Warden for his 30 parts	10	0	0
The first Senior fellow for his 12 parts	4	0	0
The second Senior fellow for his 12 parts	4	0	0
The third Fellow for his 10 parts	3	6	8
The fourth Fellow for his 10 parts	3	6	8
The 12 poor brethren and sisters 109½ parts	36	10	0
The 6 assistants for their 3 parts for the addition of their horsehire	1	0	0
The 30 out members for 39 parts	13	0	0
For their 15 parts for the bettering their gowns to be paid next Audit when their gowns are paid for	5	0	0
	<hr/>		
	£93	10	0
Remains in the Warden's hands for the Increase of the Statutable allowance for Diet, apparel wages &c	106	10	0
	<hr/>		
	£200	0	0

This principle of distribution, though the payments to the thirty out-members were afterwards omitted, was followed thereafter until the dis-establishment of the Society in 1857. In 1715 the Court, considering that the £100 in the treasury chest was idle, and likely to remain so, ordered that the amount "be laid out for an exchequer order;" and later, in 1717, the investment was changed to a ticket in the lottery of 1711, the receipt for which was put into the statute book in the treasury chest. In the succeeding March, 1715/6, a second dividend of £100 was declared, and

thenceforward there was, with very few exceptions, a dividend at every March audit.

At the audit on the 4th March 1718/9 James Bennet was sent to Cambridge.

From the year 1715 to the year 1723 the Register was almost entirely neglected. From the former year till 1719 there are no entries at all. In 1719 three baptisms are recorded; in 1721, one burial, that of the Master; and in 1722 there is one wedding. Mr. Hume wrote on one of the pages, "Hiatus octo annorum," to which another and later hand has added the words, "valde deflensus."

At this time the College was engaged as defendant in a lawsuit with Mrs. Taylor, the widow of John Taylor, who had held a lease of certain tenements, one of which was formerly called "The Bell." The circumstances were as follows:—

In the year 1691 a person named Lewis, of Dulwich, died, appointing Mr. John Alleyn, then Master of the College, his executor and residuary legatee. Amongst other property, he left a College lease of certain tenements, which lease the Master enjoyed until its expiry in 1696 (see *ante*, p. 202). The statutes expressly forbidding the granting of any lease to the Master, Warden, or Fellows, John Alleyn could not have Lewis' lease renewed to himself, but (according to Mr. Hume) he by his interest and authority procured a lease for twenty-one years, from Michaelmas 1696, at the yearly rent of £13. 10s., to be granted to his intimate friend John Taylor, of Westminster, tailor. The premises therein demised are described as "The Bell, Cornish Mount and 6 acres of ground." Mr. Taylor having built two tenements on the land, a "recommendam" was made on the 4th March 1704, whereby it was "recommended" by the then Society, that their successors should renew this lease on its expiry at the same rent and under the same covenants.

John Taylor died during the currency of the lease, which became the property of his nephew and heir, also named John Taylor, who in 1717 applied for a new lease in accordance with the "recommendam," and an order for such lease was made at the audit of the 4th September 1717.

The reasons which moved the Society to grant this lease are thus stated by Mr. Hume:—

"We were induc'd to it by motives of prudence and the Master's authority. The thing was propos'd and urg'd by him who should understand the true interest of y^e College best: And the gentleman (Taylor) being rich and childless, and in a declining state of health and having got much by the College, and broad intimations having been made, that he designed to be a Benefactor to it, we were unwilling to disoblige him." Mr. Hume adds—"But the hopes we had conceiv'd of his being charitably

“dispos’d towards our Society were defeated by his dying intestate in the “February following.”

“The lease not being sealed when Mr. Taylor died, the audit of the 4th September 1718 (again quoting Mr. Hume) “declared (*nemine, præter unum contradicente*) that the former order was void, and ordered that the “College should keep the premises in their own hands and repair the “houses w^{ch} were run into great disorder for want of due care.” The dissatisfied was the Master.

A Mr. Holden, trustee of John Taylor, senior, then claimed a lease pursuant to the “*recommendam*” of the 4th March 1704 and the order of the 4th September 1717, for the benefit of Arabella Taylor, widow and administratrix. This being refused, Mrs. Taylor preferred a bill in Chancery against the Master, Warden, and Fellows personally, but afterwards amended her bill and made it against the College as a corporation. Mr. Hume, who appears to have had the entire conduct of the defence, wrote a long letter to Mr. Price, the College “*solicitor in Chancery*,” detailing the whole history of the system of *recommendams*, referring to the order of the 5th March 1687/8, mentioned above, to the effect that no houses or lands should be let to any but those who should inhabit and occupy the same, and giving many reasons why the “*recommendam*” and order of the 4th September 1717 should be considered null and void. This letter formed part of the brief of the counsel representing the College at the hearing of the case, before Lord Chancellor Parker, on the 31st October 1720.

The Lord Chancellor delivered the following judgment, which is reported in Peere Williams’ reports, vol. i. p. 655, ed. 1740 :—

The Hospital or College of Dulidge was seised in fee of several Lands in Right of the College and the statutes relating to the constitution of it, restrain from making Leases of the Lands other than for twenty one years, at the Rack Rent. In 1696 the Hospital made a lease to John Taylor the Plaintiff’s Intestate for twenty one years, under what was then the Rack rent, which was to expire at Michaelmas 1717, the Lessee had improved the Premises by building two Houses, and at the College Audit, which was kept twice a year, every fourth of March and fourth of September, an Entry was made in the Register, by which, in consideration that the said John Taylor had built two Houses on the premises, and thereby improved the same, therefore it was recommended that at the End of the Lease the College should make him a new Lease for twenty one years at the Ancient Rent, without raising it; and this Entry was signed by the Master Warden and most of the Fellows. Afterwards when the Lease was near expiring, upon the Intestate’s applying for a new one, the College at the Audit held on the 4th of March 1716 (the lease being to expire on the Michaelmas following) made an Order that the Intestate should have a new Lease of the Premises from Michaelmas next, at the old Rent, and under the same Covenants, as the former; and this Order was signed by the Master Warden and most of the Fellows. The intestate died about the time of the next audit September 4. 1717, whereupon the

Widow having taken out administration, at the Audit in March following applied for a new Lease according to the order; but being refused, she now brought a Bill to compel the College to make her a new Lease of the Premises in Pursuance of their own order; and Allen the Master Warden was the Plaintiff's principal witness.

It was alledged, that the Order for making a new Lease to the Intestate, did amount to an agreement; and consequently the Bill was proper to compel an Execution of it.

Lord Chancellor:—The Master-Warden (Mr Allen) who appears as a witness in the Cause, betrays his Trust in Relation to the College, and has acted inconsistently with the Oath he has taken as Warden; neither do I like the Recommendation made by the Master-Warden and Fellows to make a new Lease to the Intestate Taylor, at the old Rent; it being no less than a Recommendation to their successors to wrong the College, and break their statutes which say, that no lease should be made but at the Rack Rents.

As to the Signing of private Persons, namely the Master-Warden and Fellows, that cannot be such a Contract as binds the College; for a Contract to bind that (or indeed any Corporation, as to its Revenue) must be under its Common Seal. It is true, there would have been some Equity, if the Intestate had, after this Order for a new Lease at the old Rent, laid out Money in improving or building on the Premises, in Confidence and Reliance on such order. However, even in that Case he should have had his Reparation only from the private persons signing the order, not against the College; As to the Repairs done by the Lessee since the order for the new Lease, these are no more than what by his old Lease he was obliged to do: for which Reasons I dismiss the Bill with costs.

Mr. Hume after this judgment inserted the following note to his letter to Mr. Price:—

Our counsel order'd the Solicitor to give each of them a copy of this Letter and in their pleading hardly used any other arguments besides those here suggested. After a full hearing the Lord Chancellor dismiss'd the Bill wth costs not w^{out} severe Reflections upon some people's conduct. He utterly condemn'd the pernicious Recommendations and declar'd that if such a Lease had been actually executed he would make it void. This was a cause of y^e greatest consequence that ever had been try'd by the College, for we not only gain'd a considerable increase of Rent, but also asserted our Authority as Landlords to the great mortification of some of our good neighbours whereas had it gone against us, we must have been insulted and despis'd as a parcell of insignificant Tools.

At the audit on the 4th March 1720 the Court ordered that, "Whereas
" the twelve poor Brethren and sisters have been found to squander away
" their Dividend money so that when any of them have been sick they have
" not had money to provide themselves necessaries. It is therefore for the
" future ordered that the money arising out of the Dividend shall be kept
" by the Warden and delivered to them at twelve equal payments, one
" every month, except more shall be requisite on account of sickness or other
" necessary occasion, to be approved by the master warden and fellows."

This order was thereafter observed until the dissolution of the College.

On the 1st September 1721, Thomas Alleyn, the Master, died, and James Alleyn, the Warden, became Master in his stead. The new Master at the audit on the 4th September put an end to one of the subjects of contention amongst the Society by procuring an order "that the College Seal be put into a Box (to be kept in the Treasury chamber) with three locks and keys to it, to be kept by the master and two junior Fellows."

A new Warden, William Alleyn, was elected on the 12th October 1721. His first accounts, presented 4th March 1721/2, showed £153. 9s. 1d. due to the College, out of which £150 was made a dividend.

In 1723 the then Archbishop of Canterbury, Dr. Wake, commenced a visitation of the College, mainly on the petition of a Mr. Hunter, a tenant of the College, whose object appears to have been to obtain a revision of the statute forbidding the granting of leases for a longer term than twenty-one years.

Dr. John Bettesworth, Dean of Arches, was the Archbishop's commissioner. In a letter addressed to him, Mr. Hume, after giving the history of the "Recommendams," proceeds as follows :—

These pernicious Recommendations having been lately condemn'd by my L^d Chancellor, another way was thought of to retrieve the affair & to put a stop to the growing evil of letting the College Lands at a valuable rent. It was proposed to erect certain new Copyhold houses upon the common & wast in imitation of what had been lately done at Hamsted, and this was recommended and urg'd as a project of great advantage not only to the College, but to the Town in general, as in truth it was. But when we came to the point to obtain the consent of the Homage wthout w^{ch} it could not be done, it was said, that as the old possessors at Hampsted had been gratify'd, so it was but reasonable that those of Dulwich should have something done for them too, and that y^e proposer could think of nothing more reasonable for them to ask or for the Lords of the Manor to grant than this. That all the Tenants both Copyholders and Leaseholders should have such Parcells of the common adjoining to their Houses assign'd to them by copy of Court Roll as they should think commodious, and the reason given was That the proposer & others had from time to time been disturb'd by some troublesome neighbours for railing in small parcells of the wast before their Houses, & that he was willing to be free'd from this inconveniency. To this seemingly innocent proposal it was answered by M^r Hume, That the thing was feasible & such as in all likelihood the Visitor would approve of, and that perhaps it was reasonable enough to add to Copyholds by Copy, and to Leaseholds by Lease, such parts of the Adjoining wast as might seem convenient. But to give a piece of copyhold Land before a Leasehold House (the Proposer's case) was evidently to make that House equal to a Freehold, & to put it out of the Landlord's power for ever to Lett that House to any but the possessor of the Copyhold addition, or even to him but upon his own Terms. The snake in the Grass being thus discover'd & the mine sprung without doing any execution, no consent could be obtain'd & so the project dropt.

The Warden, William Alleyn, died on the 27th October 1723. He seems to have been in bad health for some time previously, the audit on

the 4th September 1723 recording the receipt from him of £3, as fines for non-residence.

Of the consequent election of John Alleyn as Warden, a detailed account is preserved in the weekly account book, which will be found in the chapter on Elections.

James Alleyn, the Master, from this time dropped the "y" from his name, and signed himself James Allen. The Warden continued to call himself "Alleyn," but he was the last who did so, all the subsequent Masters and Wardens writing their names "Allen."*

At the audit on the 4th March 1723/4, £100 in cash was put into the treasury chest in the room of the Lottery annuity, which had been paid off by Act of Parliament, and on the 24th September 1724 the following order as to "Recommendams" was passed:—

"Ordered that Whereas Recommendams have been found prejudicial to the Colledge, and have been declared by the Lord Chancellor to be fraudulent. That no Recommendams be hereafter granted or allowed on any pretence whatsoever."

On the 9th December 1724 Archbishop Wake published the following Injunctions as the result of his visitation. They are taken from his Register in Lambeth Palace:—

Orders, Rules & Injunctions for the better Government of the College of God's Gift in Dulwyck in the county of Surrey, Given at the Visitation of the most Reverend Father in God William by Divine Providence Lord Archbishop of Canterbury His Grace, Primate of all England & Metropolitan & Visitor of the s^d College.

1. It appearing to us in the course of this visitation, That the school has not hitherto answered the Intention of the Founder, For the better ordering thereof for the future, We ordain & require that upon every Vacancy the Churchwardens of the parish from whence the election is to be made, shall send to the college a List of Three or Four Boys as near as may be, equally indigent who over & above the Qualifications menconed by the Founder shall appear to have been Instructed in the Church Catechism & are able to read well in the New Testament, out of whom the Master and Warden shall choose Two the best Qualified to draw the Lots.

2. That the Nomination & Election of the Three Boys from Camberwell, being vested in the Master, Warden & Fellows We charge and admonish them to be strictly carefull to elect such only as appear to be well Qualified & likely to make a proficiency in the said school.

3. That the Master & Usher do their utmost towards forwarding the Children in their Learning & Instructing them in the principles of Virtue & Religion, and that they never suffer swearing lying or Theiving to go Unpunished.

4. That considering how few hours schooling are required by the statutes, the Master, or Usher in his absence, be very cautious in granting leave for play on any other than Church or State Holydays.

5. That neither the Schoolmaster nor Usher be absent above one day in the Week

* With the exception of the present Sir J. G. Newton Alleyn, Bart., who was Warden from 1843 to 1851.

without leave from the Master Warden & major part of the Fellows under their hands in writing under pain of the forfeitures prescribed by the 44th statute.

6. That the schoolmaster every week before Whitsuntide do attend the Visitor with a List of the Twelve Boys, their respective ages, standing & Degrees of learning, & at the same time Remind his Grace of their Founder's Request, That some learned Divine may be sent to appose, visit & examine the poor Scholars in their learning & how they profit therein, as also how they are Instructed in matter of Religion & of the service & worship of Almighty God.

7. That if at the age of Fourteen a Boy be Judged incapable of being Qualified for the University, he be Taught the vulgar Arithmatick, & to write a good hand & at a competent age be put out to some Trade of the better sort agreeable to such an education, & that the Warden be in a more particular manner charged with the care of providing such a Master as may be approv'd of by the Society, one of an unblemished character, strictly sober & virtuous & a constant frequenter of the Established Church. It being of the last Importance & that upon which their future well being does in so great a Measure depend, & that an Entry be made in a Register kept for that purpose of the Master's name, Trade, & place of Habitation, & the sum of money given with each Boy, that the same may appear to us or our successors whenever called for, and every Boy who shall hereafter serve the whole Time of his Apprenticeship with Diligence & honesty, shall at the expiration thereof upon a proper Certificate from his Master be entitled to the sum of Five Pounds from the s^d College.

8. For the more Regular performing of Divine Service for the future & as near to the Intention of the Founder as is consistent with the charter of Incorporation & Deed of Uses, We ordain & require that the psalms & Hymns as the Te Deum &c be chaunted to the Organ on Sundays & Holydays as is practised in the King's Chappel & an anthem sung by the Boys every Sunday in the afternoon.

9. That such of the College servants as are hindred by their necessary Business from being at the Chappel on Sunday Mornings shall attend the preacher in the Evening, after Supper, to be ordered & Instructed by him under the Penalty of Six pence for every omission unless particularly Dispensed with for some good Reasons to be approved of by the Master or Warden in his absence.

10. And for as much as good Oeconomy & discreet management are of the utmost consequences to so large a family, We direct & Enjoyn that the Warden shall pay for all the Provision as it is Bought, that both Master & Warden be obliged out of their own pocketts to pay their servants wages, & the College only to find their Horses with Grass & Hay & that they have a Watchfull Eye over their Workmen & Servants & see that every thing about the House be kept in a decent & becoming order.

11. It appearing to us by the Report of a very able and experienc'd Surveyor employed by Us for that purpose, that notwithstanding the very Great Charge & Expencc the College hath been at both immediately before & pending this visitation in repairing & Beautifying some parts of their Buildings Yet the Court Wall & Gates are in a very ruinous condition, & must be rebuilt, or they will soon fall, & that the Wing which makes the East side is so crazy and feeble, that unless They were in a condition to Rebuild it it would be but throwing Money away to do more to it than will keep it from Falling. To the end therefore They may be able to Rebuild the same in a durable convenient & creditable manner, with regard to the Memory of their Founder; We order & Enjoyn that over & above the sum of one hundred pounds now remaining in the Treasury chest, the farther sum of Forty pounds be

annually laid by, till They shall have so much in Stock as will fully answer the expence of Rebuilding the s^d Wing pursuant to a Modell to be approved of by Us or our successors Archbishops of Canterbury for the time being. And We further Direct that the s^d Court Wall and Gates be Rebuilt within the space of Two years from the Date hereof.

12. That the allowances out of the College Revenues and Profits be no otherwise Disposed of than according to the proporçons prescribed by Archb^p. Sheldon & that no one presume to make any alteration therein without our leave first had & obtained: But whereas the Revenue & profits of the College which by a computation made in His time did not exceed Eight hundred pounds p ann one year with another, are now encreased to one thousand pounds & upwards. We do over & above the annual sum of forty pounds in the preceding article Direct that the further sum of Six pounds at the least be every year laid out for purchasing proper books for the Library, where they are much wanted, the s^d Books to be Bought by the Preacher for the time being with the approbation of the Master Warden & Fellows: The s^d preacher to be onerated with the care of the s^d Library, that an exact Catalogue be made to be delivered to the Librarian & Received from him again at his departure. That the Master, Warden & Fellows have liberty to take any of the Books to their Chambers for the space of one week & no longer, They giving the Library Keeper a note for them in a Book to be kept for that purpose.

13. That out of the Thirty Two pounds per annum allow'd by the Founder, for salaries for Chaunters who were never regularly introduced, nor Indeed could be consistently with the Charter of Incorporation & Deed of Uses: We will & Direct that the sum of eight pounds pr ann over & above their present salaries be paid to the preacher for the time being the like to the schoolmaster, six pounds to the usher & Four pounds to the organist as further augmentaçons to their several salaries or Pensions upon this special Trust & Confidence & They not otherwise to be entitled to any part thereof, namely that the s^d Preacher besides the care of the Library as mentõned in the foregoing Article be obliged on every Sunday in the afternoon, between Lady day & Michlms day to read a Catechetical Lecture & that the Schoolmaster & Usher be obliged to teach & Instruct such Boys of the poorer Inhabitants of Dulwyche (as can read in the New Testament) in perfecting their Reading as also in writing & the vulgar Arithmatick, who at the time of their Admission into the s^d school shall be under the Age of Ten, provided the s^d Boys are not more than Twelve in number at any one time, Removeable at the Discretion of the Society if their case shall be judged to require it & likewise all such Boys, children of the Inhabitants of Dulwich who shall be Desirous of Learning Latin on the Terms prescribed by the Founder in His Sixty ninth Statute, And that the Organist do his Diligence in bringing them up together with the Founder's Boys to assist decently at Divine Service & in singing of the Psalms Hymns and Anthems.

14. For preventing all Disputes concerning Residence, We do declare that every person, who is absent from Chappel both Morning & Evening Prayers, or shall Lay a Night out of the College without Leave first asked & obtained shall be Deem'd Non Resident & to have Incurred the Penalties provided by statute for Redress thereof.

15. Several Years having now Lapsed since any Terrier was made of the Lands & Tenements belonging to the College, We do hereby Charge & require the Master Warden & Fellows to make a full & perfect Terrier or Boundary of all & every their Lands & Tenements and a compleat Rentall of their said Lands & Tenements as now Let, as also a particular of their Woods, what Timber there is in them, & into how many Falls their Copses are Divided, & the Number of

Acres in every Fall & Deliver the same unto Us under their common seal, on or before Midsummer day next, & to lay up a Duplicate thereof in the College Chest of Muniments & that they cause Three Copies of the said Terrier to be Delivered to the Assistants to be kept one in each parish from whence the s^d Assistants are to be chosen.

16. There being no Provision in the statute for Fewell for the poor Brethren & Sisters, nor for Physick & attendance when they are Sick We hereby Declare our intire approbation of the Method lately Introduc'd by the College of allowing them Yearly Two hundred Faggotts each, & do Earnestly recommend such as shall be Sick or Maimed to their Charitable Care & Assistance.

17. It appearing highly probable to Us, That the Founder in Appointing the Churchwardens by the Name of Assistants (who might be a cheque upon the Society in the Management of their Revenue, might Moderate in all their Differences & take care of the Interest of the poor of their respective parishes) to have certain Allotments out of the College Revenue, intended the number of the s^d Assistants should be in proportion to the Society as Six to Twelve (He having at the same time Appointed a Master Warden & Ten Fellows) but whereas it is very clear, That the Founder never had any power or authority in Law to Appoint any such Assistants at all, nor to enlarge the Number of his Fellows beyond Four, So that what was done by Him in that Respect, is indeed contrary both to the Charter of Incorporation & Deed of Uses, Nevertheless out of a due Regard to what was done by Him, & at the same Time to prevent the many ill consequences that may justly be apprehended from the s^d Assistants outnumbering the s^d Society which consist only of a Master, Warden & Four Fellows & for preserving the Ballance intended by the Founder, We are content to allow & do hereby allow as far as in us lies, That Three Churchwardens which shall be the Upper Churchwardens of the Three parishes, out of which They have hitherto been taken, may continue to Act as Assistants, & have the Usual Allowances in proportion out of the Revenue belonging to the s^d College.

18. To prevent all occasions of Scandal & Offence by the Evil or unwary Conduct of any of the Members of the s^d College, We do order & Direct That if any of the Society, but especially such as are in Holy Orders, be found Tipling or Drinking in any of the Publick Houses within the Liberty of Dulwyche, He shall for every such offence be Fined for the same, if a Layman Two Shillings, if a Clergyman Two Shillings & Sixpence, to be put into the common Stock of the s^d College & We do Require the Master & Warden upon Information and proof thereof to See that this Fine be paid accordingly.

19. Lastly We order & Enjoyn that till a more perfect Settlement can be obtained, The Injunctions of Archbishop Sheldon as far as they are not altered by these our Orders shall be Deemed & taken to have full force & to be observed in all respects, & that both His & These our Orders & Decrees be read over to the Society at the same time the Statutes are, And We strictly charge & Admonish the Master whose duty it is to see, That due Obedience be paid unto Them by all & every the Members of the said College, & all persons concerned therein under pain of Contempt.

Given at our Palace at Lambeth under our Archi:Ep̄al Seal the Ninth day of December Annoq Dñi One thousand Seven hundred & Twenty Four, & Ninth Year of our Translation.

The churchwardens met at the College on the 4th March 1724/5, and

the 17th Injunction, by which their number was reduced to three, was read to them by the Master. They at once questioned the Visitor's power, refused to act or to take the pensions for their poor, and went away before dinner without signing the accounts. Business was nevertheless proceeded with. A dividend of £200 was declared, and it was also, in compliance with the 16th Injunction, ordered "that M^r Joseph Wood Surgeon, have 10^l. per annum for Surgery and Physick for the Old People and boys: Payable half yearly the first payment to be made on Midsommer next." This arrangement, however, lasted but three years, an order being made on the 4th March 1727/8, "that the salary of 10^l. per ann: allowed to M^r Wood, cease from Midsummer next; and that he shall bring in his bill, for what he shall do for the boys & old people for the future."

The churchwardens were not the only persons who were dissatisfied with the new Injunctions, for Mr. Hunter, the original promoter of the Visitation, attempted to obtain from the Archbishop some variation of the article relating to the increase of the stipends of the Fellows.

Mr. Hume thereupon wrote the following letter to Dr. Bettesworth, the Dean of Arches:—

April 17, 1725.

Worthy Sir.

Ecce iterum Crispinus! (M^r Hunter).

The same uneasy Gent who hath occasion'd so much trouble to procure a new sett of Injunctions not being satisfied wth them now they are made, has been to wait upon his Grace, accompanied (as I am informed) by one of our own Body, to desire that they may be alter'd. The case is this. Our places being poor, the Revenue increas'd, and y^e Chaunter's salaries at y^e visitor's disposal, his Grace has been pleas'd to encrease all our Salaries. This doubtless he might have done merely in consideration of y^e smallness of our Stipends; but having suspended our enjoyment of the additional salary upon a condition viz: Our teaching the poor Inhabitants' children, not exceeding 12, to read, write & Cypher, we readily acquiesc'd to it, & have incurr'd no forfeiture by refusing any duly qualify'd who have offer'd themselves! 'Tis true, tho' there are many little boys in y^e village who will be fit in time, there are very few qualified now at first: but 7 or 8 being a sufficient number to be taught for the additional salary, since less than 10th per q^r is not paid in any Foundation School for Boys not upon y^e Establishment, we humbly conceiv'd, that be the Boys more or fewer we should have a constant increase of salary, and be entitled to the benefit of it when they should be under that Number, as well as liable to the disadvantage when they should exceed it, wth in all probability will be the case for the most part: for, *cujus est damnum ejus debet esse commodum*. Therefore we were exceedingly surpriz'd at a verbal message sent us t'other day by his Grace (the M^r the Bearer) That his mind was that 12 children not only of the Inhabitants of Dulwich who are parishioners (& such only the Founder, & we thought the Visitor too meant to oblige) but Strangers, or inmates, or who live in the adjacent parts should be immediately admitted, otherwise we shall be paid only in proportion for the number we actually have i.e. 2^d or 3^d for each Boy p week, a reward too little for a Dame, besides the meanness of being always oblig'd to reckon with the College for pence & farthings.

We humbly hope that You who was lately our Judge, will now be our advocate, and apprise his Grace of the true circumstances of this affair; that we may not be run down by calumny & false suggestions. Upon the terms these Gentlemen would make for us, I must ingenuously own, I would disdain to accept of it. I'm heartily sorry that this business should give you so much as the trouble of this letter more, but we have none else we can so properly apply to, and I hope the equity of our Cause, and yo^r own goodness will incline you to patronize us, or the Benefit intended both to us and the Town (w^{ch} is very considerable) will be defeated. Our good friends are very assiduous in their applications to procure an interpretation according to their mind in form. I can hardly think his Grace will do such a thing without consulting you first, but for fear of the worst, If you will be so good as to espouse our Cause, I humbly pray you would take an opportunity to do it quickly, lest it come too late. Pardon this trouble I am forc'd to give you, and believe that I am with all possible respect

Worthy Sir

Yo^r most obedient & devoted Servant,

J. H.

At the audit on the 4th September 1725 the churchwardens attended and delivered in the following protest, but did not sign the accounts (MSS. vi. 47):—

Wee the underwritten being two churchwardens of the parish of S^t Buttolphs without Bishopsgate London, Two Churchwardens of S^t Saviours in Southwark in the County of Surry and Two churchwardens of that part of S^t Giles without Cripplegate which is in the county of Middlesex, Do hereby Insist that by the antient constitution of the Colledge of God's Gift in Dullwich in the county of Surry Two Churchwardens of each of the severall Parishes aforesaid are appointed assistants to the Mast^r. Wardens & Fellows of the said Colledge in the Government thereof and have an undeniable right in the audit of y^e acco^{ts} of the said Colledge and in ordering y^e use & applica^{on} of the mony belonging thereto and in viewing the buildings of the said Colledge and in ordering y^e repairs thereof and in surveying and seeing y^e Evidences plate & mony remaining in y^e Treasury of the said Colledge. And wee do further Insist that by y^e said Antient Constitutions one of the Churchwardens of S^t Buttolph aforesaid & one of the churchwardens of S^t Saviours aforesaid have each of them a right to keep a key of y^e Co^mon Chest wherein is kept y^e evidences of y^e said Colledge y^e Plate not Daily used & y^e ready money belonging to y^e said Colledge. And wee do further Insist that by the same constitutions no Lease or demise of any of y^e Lands belonging to y^e said Colledge should be made to any Person or Persons without y^e consent & approba^{on} of y^e said Churchwardens. And wee do Insist that the said Churchwardens are Intitled by the said Constitutions to ten shillings a piece p. ann. for their Horse hire All which rights priviledges and powers and all other rights priviledges and powers whereunto the said Churchwardens are Intitled by y^e constitutions of y^e said Colledge Wee the underwritten do hereby claim and demand and do hereby offer our concurrence in y^e Governm^t of the said Colledge and in y^e Transacting y^e Business thereof in y^e pre^mises as far as by y^e said constitutions wee are Intitled and in such manner as wee shall think consistent with y^e Interest and to y^e advantage of the said Colledge. And wee do hereby Protest against & Dissent to every thing done or transacted or to be done or Transacted in y^e Government of the said Colledge with y^e con-

currence & consent of us the underwritten wherein Wee y^e underwritten Churchwardens are Interested or Intitled as aforesaid whereby the rights and Priviledges of us or our Successors may be any ways prejudiced in the premisses. Wittness our hands this fourth day of September Anno Domini 1725.

EDWARD GRAFTON
SAMUELL HIGGS
JACOB GRANT
JAMES KINDER
JOHN BREWER
THO: VINTER.

On the 4th March 1725/6, the churchwardens being still absent, a dividend of £300 was declared.

Sir Phillip Yorke,* the Attorney-General, was consulted, probably by the churchwardens, as to the legality of the reduction of the number of assistants to three, the case as laid before him, and his opinion thereon, being in the Lambeth Library (MSS. No. 1118, fol. 6).

The "Case" is in effect a recital of the Letters Patent and of the "writings Quadrupartite" deposited by the Founder in the hands of the Vestries, with a short *résumé* of the Visitations held by previous Archbishops of Canterbury. The question finally put to the Attorney-General being, "Whether y^e said Six churchwardens are Intitled to y^e said office of "Assistants in such manner as by y^e said ordinances & ought to be restored "accordingly."

The opinion was :—

The six churchwardens viz^t two of each Parish are not part of y^e Body Corporate erected in this Colledge for that subsists entirely by y^e letters patent 21 June 17. Jac 1, whereby it is created to consist of y^e Mast^r Warden ffellows brethren Sisters and poor scholars no mençon being made therein of Assistants, & y^e ffounder could not afterwards vary from that & add to y^e Corporaçon. But notwithstanding this I think y^e said Churchwardens are Lawfully Entitled to such powers & authoritys as were given to them by y^e ordinances or Statutes of y^e ffounder of 29 Sept^r. 2 Car 1. & such powers & authoritys or any of them cannot be taken from them but by some person having power to repeal or alter those ordinances. Therefore I apprehend the Question upon which this matter will depend, is whether y^e ArchBpp of Canterbury being appointed visitor by y^e charter has power by himself or his Vicar Gen^l. to repeal or alter those ordinances or Statutes; As to that it is to be observed that the appointment of his Grace to be visitor is accompanyd with this special restrictive clause, with power to visit order and punish according to y^e Ecclesiasticall Laws and such Laws as shall be made and ordained by y^e said Edw^d. Alleyne in his Life time or after his death by any other person or persons to be appointed by him under his hand and seal, It does not appear that any such appointment was made by M^r Alleyn to take place after his death, so that may be laid out of

* Phillip Yorke, born 1st December 1690; called 1715; Solicitor-General, 22nd March 1720; Attorney-General, 31st January 1724; Lord Chief Justice, 31st October 1733; created Lord Hardwicke 22nd November 1733; Lord Chancellor, 1735.

y^e case, but he did make Laws or Statutes in his Life Time by that Instrm^t of 29 Sept^r. 2 Car 1. and therefore it seems to me that they are binding upon y^e Visitor & he is obliged to visit and act according to them and cannot repeal or alter them for that would be to contradict y^e Intent of y^e ffounder and alter y^e ffoundaçon. Upon this Ground I apprehend that y^e above mençoned exclusion of one of y^e Churchwardens of each parish is not well warranted & that y^e order for such Exclusion being void, all y^e said Churchwardens have (notwithstanding the same) a right to Act as Assistants pursuant to y^e said ordinances and that if they are hindred from so doing, they may upon an Informaçon Exhibited in Chancery in the Attorney Gen^l's Name at their relaçon, be decreed to be restored thereto

P. YORKE.

Sept^r 5th 1726.

Upon this the churchwardens resolved to go to law, and so informed the Archbishop, who, doubtful apparently of the issue, wrote the following letter, authorizing the College to give way if that course was thought best for the Society (Lambeth MSS. 1118):—

To the Master, Warden & Fellows of Dullidge College.

Whereas in our late Visitation of y^r College, it was represented to us, that by the statutes made by your founder for the Government of it, there were added to your Corporation consisting only of a Master, Warden and four Fellows, six poor Brethren, six sisters & 12 poor scholars, six other Junior Fellows and six assistants, being the 2 churchwardens of the parishes of S^t Buttolph Bpsgate S^t Saviour Southwark, & S^t Giles Cripplegate, to both wch divers allotments were made out of the revenue before settled upon y^r said College, contrary both to your charter of Incorporation & Deed of Uses.

And whereas the number of Six Assistants was establish'd by him upon the supposition of Six Junior Fellows, to be added to the old foundation, w^{ch} having never been admitted, the Assistants instead of being only halfe in number as y^r founder intended became equall to the whole College, and upon all elections of a warden or master, are alone able to impose whom they shall think fit upon the said College, agst the united votes of all the Members of it, a thing contrary to reason and what y^r founder as it appears by his setting at the same time six other fellows, never Intended.

Yet nevertheless out of a due regard to what He had done & to preserve the balance between the College & Assistants, as it was establish'd by Him, We did among other of our Injunctions declare, That we were content to allow & did as far as in us lay, allow, that three Assistants being the upper Churchwardens of the said three parishes, might continue to act as Assistants with the usuall allowances in proportion to be made to y^m out of y^r revenues with w^{ch} we hoped y^e would, as in reason they ought to, have been content: But the said Churchwardens, instead of complying with this our Injunction continue to insist upon their full number to be admitted to act as Assistants in the affairs of y^r said College, and, as we are informed have resolved in case of a refusal, to use all possible means to compell you by suits of law to admit y^m to Act in such a number & manner as they have heretofore done:

We, out of our tender regard to the peace and welfare of your college, and being

not willing to engage you in the trouble & charge of law, for the support of our said Injunction, w^{ch} may bring upon you a burden greater than you can conveniently bear, have thought fit to leave you at liberty and notwithstanding any thing contain'd in our said Injunction, We do hereby leave you at liberty if you shall think it most for the benefit of your Societie to admit the whole number of assistants to discharge the Trusts committed to them by your Statutes, as they have heretofore been wont to do & to receive the usual allowances for the same. Tho we are still of Opinion that y^r founder never intended their number should be so great as in all cases, to equal & in some to overbalance y^r whole Foundation; Nor had He, as we conceive any power to appoint any Allowances to be made to y^m, any more yⁿ to his Junior Fellows out of the Revenues before settled upon y^r college, and that therefore w^t is paid to them in pursuance of any such appointment is done in manifest diminution of the just rights & interests of y^e same.

Given under our Hand & seal the 8th day of February in the year of our Lord 1726/7.

The College was by no means disposed to adopt the suggestion of the Archbishop, so Mr. Hume prepared the following case for the opinion of Serjeant Lutwyche, which was received on the 8th April 1727.

After reciting the Foundation of the College from the Letters Patent, the case goes on to state that some of the powers given to the churchwardens by the statutes are as follows:—

That being sworn in, they shall assist the M^r Warden & ten Fellows in the Government of the College.

That they shall have a voice in the Election of a M^r or Warden Upon w^h occasion (as matters stand at present) they outnumber the Society being Six to Five.

That they shall have a Decisive voice in all matters concerning the College & the members and Revenues y^{of} and that no Lease shall be let but when they are present to give their voices.

The six additional Fellows the Visitor either laid aside or never admitted, as being illegal & contrary to the charter of Incorporation and Deed of Uses: But the 6 Church Wardens and 30 Out Members he thought fit to retain, till his present Grace of Canterbury judg'd it necessary to retrench the Number of the Churchwardens for preserving the Ballance intended by the Founder. The Injunction is in hæc verba.

“ It appearing highly probable to Us That the Founder in appointing six Church Wardens by y^e name of Assistants who might be a check upon the Society in the Management of the Revenue, might moderate in all their Differences & take care of the interest of the poor of their respective parishes, to have certain allotments out of the College Revenues, intended the number of y^e s^d assistants to be in proportion to the Society as Six to Twelve (He having at the same time appointed a M^r Warden & 12 Fellows) But whereas it is very clear that the Founder never had any power or Authority in Law to appoint any such assistants at all, nor to enlarge the number of his Fellows beyond Four, so that what was done by him in that respect is indeed contrary both to the Charter of Incorporation & Deed of Uses, Nevertheless out of a due regard to what was done by him & at the same time to prevent the many ill consequences that may justly be apprehended from the assistants outnumbering

"the Society w^h consists only of a M^r Warden & 4 Fellows & for preserving the "Ballance intended by the Founder, We are content to allow & do hereby allow, as "far as in us lies, that the three Churchwardens, w^{ch} shall be the upper Church- "wardens of the three parishes out of w^{ch} they have hitherto been taken, may continue "to act as assistants & have the usual allowances, in proportion, out of the Revenues "of y^e College."

As to the 30 Out Members it appears by the College Books that from the Founder's Death (1626) to the year 1669, they were not paid their pensions except 10 of them for the first two or three years.

The Founder adds by way of appendix or Codicill to his Statutes, that having impos'd a great Burden upon the Corporation, he ordains & confirms unto the s^d Corporation his two Leases, the one of y^e Unicorn Inn in the Borough, & the other of certain Capital Messuages or Tenements call'd the Bell, the Barge & the Cock on the Bank Side in the parish of St Saviour's Southwark, for the good of the College, & for y^e relief of y^e poor. Which two Leases have long since expir'd & were never renewed: or rather never came into our possession for they are not mentioned in our Books.

Quer. 1°. Whether the Founder had power to add to the number of Members limited by the Charter of Incorporation.

2°. Whether the powers granted by the statutes to the Six churchwardens, and the salary appointed them out of the revenue, both by way of Dividend and otherwise, do not really, & in effect constitute them members of the Corporation, whatever name they are call'd by? For what could they have done more if they had been nam'd in the Letters Patent? And whether these powers, or some of them are not so inseparable from the Corporation that none can enjoy them but those who are members of it?

3°. Whether the Founder's making certain allotments to the Six additional Fellows, the Six Ch. wardens & the 30 Out Members out of the Estate he had before deviz'd to & settled upon the M^r Warden & 4 Fellows 6 poor Brethren, 6 poor Sisters & 12 poor Scholars was not a new Disposition of his Estate, & consequently out of his power & contrary to Law?

4°. The Founder having given only two Leases to the College to enable them to bear the great charges he had impos'd upon them, whether they ought not in Equity to be eas'd of the Burden, since by the Expiration of the Leases they are deprived of the only lawful means appointed by the Founder to Support it?

5°. Whether, upon the whole, The six churchwardens and 30 out members ought not to be set aside as well as the six additional Fellows? Or at least whether the Number of the Assistants ought not in Equity to be reduc'd to three according to his Grace the Visitors Injunction?

The Opinion of Councillor Lutwyche.

To the 1st. I am of opinion the Founder had not a power to add to the number of Members limited by the Charter of Incorporation; the Quality and number of w^{ch} the Corporation is to consist being particularized by the Charter.

To the 2^d. I think the Powers given to the Churchwardens by the Statutes, are, in effect constituting them Members: And they give them larger powers than any other of the Members, they having thereby a Decisive voice in all matters concerning the College which is giving a perfect superiority over them & a greater power than even the Visitor. And as to the choice of a M^r & other members, it does not appear by the

state of the Case how elections are to be & by whom, but I think it ought to be according to the letters patent, if they have determined the Method, but the Statutes might go so far as to make the Ch. Wardens checks upon the College & to inspect their Management of the Lands & Revenues, & to allow something reasonable upon that account, but further than that I think it should not go, the profits of the Estate being expressly appropriated to the Maintenance of the particular Members of y^e College.

To the 3^d. I think this was a new Disposition of the Estate not warranted by the Letter's Patent & former settlement made by M^r Alleyn, whereby the same was put out of his power.

To the 4th. This might be a material circumstance if it could be shewn when these Leases expired, but if it do not appear the Corporation ever had them, the Argument will not be very strong on that account, because they have submitted to it when (for any thing that appears) they never did enjoy the Leases.

To the 5th. I think they should be made use of only as checks for the better management of the Revenue of the College; and if they are to be continued, I think it is reasonable to be confined to the number of three: as the A.B.P. has allowed, & to have a reasonable allowance only in respect of the Trouble they have, & the good they do for the benefit of the Corporation.

THO^s. LUTWYCHE

8 Apr. 1727.

The opinion of Serjeant Lutwyche being thus entirely in their favour, the College resolved to fight the matter out. The churchwardens then presented their bill in Chancery, the purport of which is sufficiently indicated in the following copy of Mr. Hume's minutes for the answer of the College:—

Minutes of an Answer to the Ch. Warden's Bill drawn up by me at y^e request of the M^r. Wardⁿ. &c. & to be put in Form by our Solicitor.

The Answer of the M^r. Warden, Fellows &c of Dulwich College to an Information or Bill exhibited against y^m in the High Court of Chancery by S^r Philip York his Majesty's Attorney General by and at the Relation of the Ch. Wⁿ^s of S^t Buttolps &c Humbly Sheweth

That these Defendants do allow that K. James 1st's charter of Incorporation, the deed of Foundations and Indenture of Uses are truly recited in the s^d Information or Bill, but beg leave to add That the Founder of the said College being impowr'd by the K's Letters Patent to make such statutes only as should not be repugnant to the Royal Prerogative, nor contrary to the Laws of the Land, by w^{ch} the s^d College should be govern'd and visited, did nevertheless, about 7 years after the Foundation of the College add to the Corporation, or superinduce by his 2^d Statute Six Fellows, Six churchwardens by the name of assistants, and thirty Out Members, making certain Allotments to each of them out of the Revenue w^h he had before, by passing a Fine and Recovery Devis'd to & settl'd upon the then M^r. Wardⁿ & Four Fellows, six poor Brethren, six poor sisters, & twelve poor Scholars & their successors for ever, & so to no other use, intent, or purpose whatsoever, without reserving to himself any power of revoking or altering the same. These Defendants therefore being advis'd by Council

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a stop should be put to the growing evil. It were endless to enumerate all the particulars that might be here alledg'd. The Defendants therefore will confine themselves to two or three which are recent & still fresh in Memory.

At the March Audit 1718 one M^r Hunter having a lease from the College at 22^u p. ann. got it renewed at the same Rent, The then Warden (now M^r) could not by his best endeavours get him advanced so much as 5^l. Tho the Lease is worth 60^u pr. ann.

At the Audit in March 1720, one Howard having a Lease almost expired of 13 Houses near Bishopsgate which he lett at 121^u p. ann. got it renewed for 60^u p. ann for 21 years, tho' the then warden declar'd at the Board, that by the Direction of the Society he had written to y^e said Howard, that he must not expect to have it under 70^u.

At the same Audit one Swain whose House went at 9^u a year got his Lease renewed for 21 years for 6^u p. ann., tho' the same Warden publicly declar'd, that he had three several Tenents who were willing to give 8^u p. ann.; and if they should question the abilities of the Tenants by him propos'd, he offered to be security for the Rent: Yet it was voted that Swain should have it at 6^u p. ann., tho' the College had just repair'd it.

At the same time another house (the Bell) was Lett to the same disadvantage, tho' 40^u had been laid out in Repairs.

In the year 1721, The Ch. Wardens as the Def^s are credibly informed conspired to impose a Warden upon the coll: against their consent: And had not one of their number refus'd to join in the s^d combination, it had been actually done, for the Election was carried for the Coll: by his single voice.

A yearly dividend is one of the most essential parts of the Constitution of the Coll: a great encouragem^t to good husbandry, and the Interest of the poor thereby wisely interwoven wth that of the M^r Wardⁿ & Fellows. The Ch. W^{ns} one special part of whose Trust is to take care that every Member have his true and right Dividend have not only neglected the Improving of the Estate, but all along suffer'd the publick money out of which these dividends should arise to be spent in unreasonable House-keeping, and sign'd the accounts wthout the least objection or Demur, til of late years a Dividend was restor'd wth much ado, at y^e instance of some of the Members of the Coll: If it is objected that the hands of the Society are to these acc^{ts} as well as theirs, It is answered that the case of the Def^s was very different from their's in this respect. The same A.B^p. who confirm'd the church wardens in the year 1664, oblig'd the Fellows to sign y^e Books without reserve, threatening to Expell the then Schoolmaster for refusing to Sign Accounts which he thought unjust, and contrary to the Deed of Uses: So that it has alway been usual among them, for Dissentients to sign when they saw y^mselves concluded by the Majority. But the Ch. W^{ns} were under no such constraint, & therefore wherever we find all their names we must suppose they unanimously approv'd y^e thing.

The Revenues have been improv'd since the Foundation but 2 or 300^u pr. ann. which falls vastly short of the Improvements that have been made in that time by all the neighbours. It cannot be imagined that the Society could be so void of common sense, as well as regardless of their Duty & interest as not to be willing that that Fund should be improv'd by which alone their condition could be better'd. This therefore can be imputed to nothing but the supineness or evil Disposition of the Ch. Wardens, who have always been a dead weight upon the Corporation, & by their number made the worse the major part. The sounder part of the Society have no chance for succeeding in their Endeavours for the Publick good, when the Assistants

fall in (as they commonly do) with the weight of their whole posse with the opposite side. The scale they put themselves into must needs preponderate.

The Def^{ts} having as they apprehend, fully answered that part of the Information or Bill which concerns the Ch. W^{ns} authorities or powers, & likewise given the reasons why half their number is excluded from being Assistants to the Coll: & acting in these powers, they pray this honourable C^t that they may not be put to an infinite trouble and expence in proving what no body denies & obliged to set out in hæc verba all the Rules, Orders, Constitutions & statutes of the Corporation relating to or concerning all or any of the matters charg'd & interrogated in the Bill, & also all the Entries or Memorandums in the Books, papers or Writings of the Coll, whereby it appears, or any notice is taken of the Ch. Ward^{ns} acting in the Execution of their powers: this were, in a manner to transcribe several volumes in folio; which are overrun with the Church Wardens and their Concerns. They who go to Law at y^e charge of their Parishes require this of the Coll (as one would be tempted to think) on purpose to intimidate & frighten them, or to punish their presumption in calling their pretended Rights into question. The Def^{ts} are ready & willing to prove their Books & produce them in open Court, for the Plaintiffs to make what advantage of them they can, & humbly hope this will be thought sufficient.

The remaining articles of the Bill concern certain abuses pretended to have crept into the College: The putting out the Boys to trades: the Application of the Revenue and the late Visitation.

As to the first of these the Def^{ts} say, That no Abuses have crept in by reason of the Churchwarden's absence. On the contrary, the College was never in a more flourishing condition than it is at present. The Buildings being old and infirm, the College is always at a great charge to keep them in repair; but these two last years they have not only expended considerable sums in building, but have laid by 80^l towards rebuilding one side of the Quadrangle; and what Leases have been Lett within that time have been lett to better advantage than they have usually been when the Church W^{ns} were present.

And whereas it is charged that sufficient care has not been taken in putting out the poor Scholars apprentices. These Def^{ts} say, That the Boys are put out to such good & sweet mechanical Trades & occupations as they have ever been since the Foundation: And the present Society give more money with them than ever was given by their predecessors, one or two single instances excepted; and if at any time they have not had so good Masters as the Def^{ts} could wish, that this cannot be imputed to their want of due care, but to the negligence of the Ch: Ward^{ns} to whom that part was always recommended by the College, they being Tradesmen themselves & so fittest to find out proper Masters for the Boys.

As to the pretended misapplication of the Revenue These Def^{ts} say, That in all the main and essential branches of it nothing is applied contrary to, or inconsistently with, the legal settlement of the College, except the appointments made to the Ch. W^{ns} & their poor; viz the 30 out members.

The Founder himself observes in his Appendix to the Statutes That in making of Laws human reason cannot foresee all things, & that some useful and fit things may be omitted, & others which at first may seem reasonable & profitable may in the use & practice prove discommodious, & not so fitting to be observed. Archbishop Sheldon taking into consideration the then state of the College; & making use of his Visitorial authority of explaining such of the Statutes as were obscure & supplying their defects, did decree That the M^r Wardⁿ & Fellow's Diet should be increas'd from 10 to 15^l pr ann:

a piece. That the poor Scholars & Servants allowance, w^{ch} was but 3¼^d pr diem a piece by the Statutes, should be made 6^d a piece p diem. That the 12 poor Scholars apparel should be advanced from 20 to 30ⁿ a year, & the Servants Wages & Liveries from 27 to 56ⁿ a year. His Grace the present Visitor, out of his paternal care of the College, & tender regard to its well being & prosperity, did, at the late Visitation make several excellent Orders concerning the School, and the publick service of God, & for maintaining Oeconomy & good Order in the College, and observing that the yearly income of the Coll: was increas'd near 300ⁿ, and that chiefly by the care & good managem^t of the present M^r Wardⁿ & Fellows, thought fit to make some small addition to the stated allowance of all the Members, as he saw it most wanted. To the Mast^r & Warden he confirmed the Right of keeping each a Horse. To the poor Scholars who shall be put to trades he allow'd 5ⁿ at the end of their apprenticeship to set up with, provided they should bring proper certificates from their Masters of their honesty & diligence. A small sum to be laid out annually in Books for the Library, & Fewel & Physic for the poor old Pensioners: for all w^{ch} there was no provision made in the Statutes. His Grace likewise considering the meanness of the Fellowships, & the greatness of the Duty, thought fit to advance their Salaries a little viz The Preacher's & Schoolmaster's from 12 to 20ⁿ p ann. The usher's to 16 & the Organist's to 14. Upon this express condition That a catechetical Lecture should be preached every Sunday in y^e afternoon in y^e summer ½ year for the benefit of Servants and the more ignorant sort of people, the servants of the College catechised, and the poor Inhabitants children in Dulwich taught Reading, Writing and vulgar arithmetick, & brought up with the College boys to assist in the choir. And his Grace being unwilling to break in upon the Statutes made all these appointments out of the Salaries & maintenance appointed by the Founder to the Additional abrogated Fellows or Chaunters. These things the Respond^{ts} humbly conceive are not contrary to the statutes since every one has his statutable allowance, & something more out of an appropriated Fund; and since the Church W^{ms} have all along allow'd the additions of A.B^p Sheldon, they cannot with a good Grace object against the reasonable, just & equitable Decrees of the present Visitor.

These Respond^{ts} further say, That his Grace the A.B^p of Canterbury is Visitor of the College & all its members. If the Church-W^{ms} can prove themselves Members of the Corporation, they had a sufficient Summons, a general citation having been fixt up upon the Chapel door as is usual in such cases.* If they are not Members of the Society but a sort of Antivisitors, they are not subject to the A.B^p's Jurisdiction & consequently could not be cited to appear. The Visitation having continued about 15 months, the C^h. W^{ms} could not plead ignorance, but might have made their application to the Visitor or his Commissary all that while, if they had thought fit, especially seeing they attended at two several audits in the Coll: during that interval The Respd^{ts} did indeed refuse admission to all the six after the visitation was over, but declar'd y^mselves willing to receive three of them according to the Injunction of their visitor, whom they think themselves bound in duty to obey.

These Respd^{ts} say further that they know of no Corruption or abuse crept into the managem^t & applicon of the Revenue, besides that great & intolerable one of the Ch. W^{ms} and their 30 Out Members Pensions, w^{ch} is a flat contradiction to the legal settlement & Foundation of y^e Coll: & therefore they cannot but hope from the justice of this Honb^{le} Court, not only to be acquitted from all the charges and Complaints brought ags^t them in this Bill, but also to be eas'd of the Burden of these illegal

* The actual document is still preserved in the College.

Pensions for the future, especially seeing charity cannot be pretended in this case. To take it from us & give it to them is to rob Peter to pay Paul. To the Parishes indeed it is a benefit but none to the Poor whom they are bound to maintain, and if it shall not seem good to the wisd^m of this Honb^{le} Court to cut off the Church-w^{ns} as wens & unnatural excrescences upon this little Body Politick, These Resp^{ds} humbly pray they may be at least reduc'd to the proportion manifestly intended by the Founder according to his Grace the Visitor's late Injunction, that it may not be in their power any more to do us any considerable harm.

On receiving this, the churchwardens seem to have amended their bill, and made the Archbishop a party to the suit, which course elicited the following letter from Mr. Hume to his secretary :—

To D^r Chichely Secretary to his Grace.

May 25 1727.

Sir

I procur'd and send you herewith the Close Copy of our answer to the Churchwardens Bill corrected & settl'd by the Council, upon perusing of w^{ch} you will please to observe the Vanity of the Plaintiff's Pretence, That new matter arising in our answer, they are obliged to alter their measures & make his Grace a Party to the Bill; for there is nothing in the answer but what their own Interrogatories and allegations directly lead to. And what they artificially pretend they are now compelled to do by some suggestions in our answer I verily believe they intended from the beginning. The other day we were inform'd, but imperfectly, That the Ch. Wardens are desirous to submit the matter to Arbitration, upon which I shall only observe That the Founder thought the Interest of the College safest in the hands of the Courts of Justice, and therefore ordered (Stat. 30) That the Mast^r shall prosecute & defend all Law Suits, but end or compromise none without a Judicial & legal trial or Sentence. If the Cause is not brought to a fair & full hearing we shall lose the advantage of urging several very material things viva voce by our Council, which were thought not so proper to be put into the Answer. The Ch. Wardens, perhaps, begin to have some misgivings concerning the event, & think this the properest course for them to take; but it seems not to be for the Interest of the College, & yet it would be no difficult matter for y^m to persuade a majority of Us, where votes are numbred & not weighed to consent to it. But our whole dependence under God, is upon his Grace, who has always been our good Patron & Benefactor, that he will still continue to do us good, ev'n tho' it should be against our will, & not suffer any measures to be taken contrary to the Interest of this little Body which is under his Protection & care. For if he shall leave us to our selves, I'm afraid the Majority will be Felo's de se, & lose the only opportunity we are ever likely to have of recovering both our Freedom & o^r money. If there is any Law in England, or any Lawyers that understand it, the College must recover the Pensions annually paid to the three Parishes, which amounts to 60 or 70^l pr. ann. (a sum well worth the contending for). But if the Ch W^{ns} shall be able by any means to procure the readmission of their whole number before our Right is declared in this Point they will be strong enough by the help of but one of our Brethren (w^{ch} they are pretty sure of) to vote the continuance of these Pensions, & the payment of a considerable sum that is now in arrear; and so the laudable attempt to reform these abuses will but confirm them the more, & the latter end prove worse than the beginning. These Reflections I submit to yo^r better judgement, &

leave it to you to consider whether it may not be convenient to communicate them to his Grace, whom God long preserve; I pray you to excuse this trouble, & to beleive that I am with great respect

S^r Yo^{rs} &c

J. HUME.

The following minute in Archbishop Wake's own hand in the Lambeth MSS. vol. 1118, seems to have served as the basis of his answer to the bill:—

That in my Visitation of Dullige Coll. divers complaints were made of the proceedings of the Churchwardens in the exercise of the power, committed to y^m of Assistants &c.

That it appears by the whole course of the statute made by M^r Alleyn the founder that he never intended the Assistants should outnumber the fellows of his College. That on the contrary, whenever they are mentioned the Jun^r. fellows are always mentioned as part of his Societie, & supposed by Him to act with his first fellows & thereby make double the number of the Assistants.

That these Jun^r. Fellows having never been admitted the proportion of Assistants became contrary to his Intention in some considerable cases (as in the election of a warden, & by consequence of the Master) superior to that of the whole Corporation.

To reduce the proportion to the founder's Intention, not to exclude the assistants for many powers granted to y^m by the statutes, that Injunction was made, w^{ch} is now in question and is humbly submitted to the judgm^t of the court.

That observing the stiffnesse of the Chwardens & being informed that they would go to Law wth the Coll. upon a public stock to be raised by their parishes for that end, the Visitor who had nothing but y^e public good of the College in his view, was desirous to prevent such a destructive law suit, and thereupon chose rather to waive his Injunction, than to leave the college under any thing that might seem to put a necessity upon y^m to enter into it.

To this purpose, He sent y^m the following relaxation of that Injunction under his episcopal seal upon those occasions, some time before the first Bill was preferred in Chancery ag^t them so that the M^r & Fellows were under no manner of Obligation from that Injunction to enter into any controversy wth y^e assistants, However they may seem otherwise to represent in their Answer & not take any notice of this second Instrument sent to them.

That the Visitor is still content that his Injunctions should be layd aside rather than a chargeable law suit be carried on upon that pretence. But if the college think fit voluntarily to try this matter wth the Churchwardens He conceives he is not obliged to Hinder them from so doing.

All he desires is that he may not be made a partie to it, but having voluntarily set the College at liberty from his Injunction (w^{ch} does not deny the Assistants any right given y^m as such by the Statutes of M^r Alleyn, but only restrains the number to y^e proportion settled by him & now exceeded, by the want of the Junior Fellows at the same time appointed in the same statutes) may be dismissed wth costs for w^t charge he has been put unto without any occasion on his part given for it.

The case came on for trial on the 4th April 1728 before Lord Chancellor King. Copies of the official report and judgment are still extant at the College and in the Lambeth Library.

The judgment was conveyed in the following words:—

Whereupon and upon debate of the matter and reading the Letters Patent of the 21st of June 17th Jacobi Primi a Deed dated the 13th of September 17th Jacobi Primi A Deed dated the 24th of Aprill 18^o Jacobi primi and the Book of Ordinances of the 29th of September 1626 A Letter of the 27th of Feb 1635 and the Answer of the Archbpp of Canterbury and hearing what was alledged on either side His Lordship declared that the said Edward Alleyne the Founder of the said Colledge could not by his said Ordinances and Statutes of the 29th of September 1626 add any persons to the Corporation or make any new Person a member of the said Body Corporate but that he could appoint Assistants to the said Corporation and doth Therefore Order and Decree that the Relators and their Successors be admitted to be Assistants to the Corporation according to the said Ordinances and Statutes and are to be quieted in the Possion thereof. But this is to be without prejudice to the Deft the Archbpp of Canterbury his right of Visitation or of any Applicacon to be made to him to correct alter or amend any of the said Ordinances or to any Correction Alteration or Amendment that the said Archbpp or his successors shall or may lawfully make or Ordain and the Costs of all Partys in this suit are to be paid out of the Estate of the said Colledge to be taxed by M^r Holford one of the Mastrs of this court.

Mr. Whishaw, who was the solicitor for the College, enclosed this judgment in the following note:—

6 April 1728

Gentlemen. I here send you a copy of y^e Registrar's minutes. I hope you are effectually got rid of y^e 30 out Pensioners tho' wee seem to be sadled with y^e Churchwardens.

I am Gent^l

Yo^r most faithfull humble Serv^t

J. WHISHAW.

Mr. Whishaw was right as to the churchwardens, who remained assistants until the dissolution of the College, but, as will be seen hereafter, the question of the rights of the thirty out-members was by no means effectually settled.

CHAPTER IX.

THE COLLEGE BETWEEN 1728-1746.

THE churchwardens, now reinstated by the Court of Chancery in their position as *ex officio* governors, considered other parts of the Injunctions open to legal question, and on the 13th June 1728 they attended at the College and made the following protest against the increase of the Fellows' salaries ordered by the 12th Article:—

Wee the underwritten being two of the Churchwardens of y^e Parish of S^t Buttolph's without Bishopsgate London two of the Churchwardens of S^t Saviour in Southwark in the county of Surry and two of the Churchwardens of that part of S^t Giles Cripplegate which is in the County of Middx being Informed that his Grace the Archbishop of Canterbury having at a late Visitation of your Colledge made severall orders and Injunctions & amongst others that the sallarys of the Preacher Schoolmaster Usher & Organist should be encreased y^e severall sums foll^e. viz^t The Preacher eight pounds the Schoolmaster eight pounds the Usher six pounds and the Organist four pounds which Increase of Sallarys Wee apprehend was obtained by some false Representation of the Fact to his Grace the Archbishop. For that Wee the said Churchwardens are advised that after the payment of the severall Pençons Sallarys and allowances by the Founders Ordinances appointed, the Remainder or Surplus of the Revenues of the said Colledge is expressly directed to be divided in such portions parts and shares and to such persons as by the said Founders Ordinances are particularly mentioned and appointed Whereby if the said severall encreased Sallarys should be paid All the Persons Interested in the said surplus or Remainder as well the Master and Warden as the six poor men six poor Women and twelve poor Scholars would be deprived of their part and share of the said surplus to which Wee apprehend they are undoubtedly Intitled by the Founders Ordinances. And Wee the said Churchwardens having determined to present our humble Petition to his Grace the Archbishop to review his said Orders and Injunctions and to pray his Grace to revoke the said Order for Increase of Sallarys for the reason aforesaid And also thinking it our Duty to prevent as much as in us lyes the application of the Revenues of the said Colledge to other uses than the Founder intended: Do therefore hereby Desire that the payment of the said increased Sallarys may be suspended untill his Grace the Archbishop's pleasure in the premises may be known. Dated y^e 13th June 1728.

W^m HOLLAND
EDW PENTON
BENJ. TURTON
THOS INWEN
JOHN WHITEHEAD
JOHN GILDER

To the Master Warden & Fellows of
y^e Colledge of Gods Gift in Dulwich
in the County of Surry.

The Warden, either feeling, or pretending to feel, that he was not safe in paying these additional salaries, stopped them, upon which Mr. Hume wrote the following letter to the Archbishop's secretary :—

To Dr. Chichely Secretary to His Grace The Archbishop of Canterbury.

June 25. 1728.

S^r.

Hearing that you are to take a Journey tomorrow & not to return for a considerable time, the necessity of our affairs oblige us to give you the trouble of this address which we hope you will therefor pardon. The Church W^{ns} who are not empow'd by the statutes to act as a distinct body, & have no manner of concern with us or our affairs, but in conjunction with us upon the two Audit Days in March & Sept^r. nor then till they have taken the usual oath, did notwithstanding, come to the Coll. on the 13th instant to demand the Pensions of their Poor, and entr'd a Protestation as they called it not against A.B^p Sheldon's additions to the statutable allowances, nor those made by his present Grace to the rest of the members, but, for reasons best known to themselves, singl'd out the Fellows (tho' all the additions that have been made both formerly & lately are upon the same foot, being established by the same authority, supported by the same reasons, & liable to the same seeming exceptions) and desir'd that the Payment of our Pensions for the last Quarter should be suspended, tho' the duty requir'd by the Injunction has been punctually perform'd. Upon this frivolous and unjust ground the warden of the Coll. has taken upon him to stop our Pensions, which we consider not only as an Injury to Us, but as an Insult upon his Grace's Authority, whose Injunctions he is bound to obey & not to suspend the execution of them for a moment upon any pretence whatsoever. We are not only willing but desirous to submit the whole matter in Controversy to his Grace's Reexamination, & doubt not, by the help of God, but we shall be able clearly to take off all their pretended objections, & to satisfie all reasonable men of the Justice & equity of his Grace's late Regulations, & their entire conformity to the mind & Intention of the Founder: But in the meantime we humbly hope his Grace will not suffer any of our Body, at least, to assume the boldness to act against the Injunctions he has given us so long as they subsist in force. His Grace's mind signified by a Letter from you would put an end to this quarrel so far as it is domestick. If this can be obtained by your good offices it will highly oblige my Fellow Sufferers & him who is with great respect

S^r. yo^r &c

JA: HUME.

No immediate reply seems to have been received to this, but the churchwardens followed up their protest by a petition to the Archbishop, the original of which is in the Lambeth Palace Library. The document is a long one, reciting the Letters Patent and all the deeds, etc., but the following are the material parts (Lambeth MSS. vol. 1118, No. 14):—

And the said Churchwardens further shew unto your Grace that at the visitation of the said college in the year one thousand six hundred and sixty four by his Grace the then Archbishop of Canterbury, the Right of the said Thirty poor persons to be pensioners to the s^d College was then confirmed with the allowances as by the Founders statutes are Directed Upon w^{ch} occasion His Grace then observed that the said allowances had not for some time been paid but being fully satisfied that the

same were works of great Charity and publick Benefit and that it was the Founders Intention they should be paid, His Grace ordered the s^d allowances to be made and so to continue for ever after and accordingly the s^d Pensions and allowances have been duly paid and made ever since untill the year one thousand seven hundred and twenty four.

And the s^d Churchwardens further humbly acquaint your Grace that notwithstanding the Ordinances made by the s^d Edward Alleyne the Founder and confirmed by your Grace's predecessors the Visitors as afores^d and which have been constantly observed by the said College untill the year 1724 and w^{ch} the Master Warden & Fellows upon their admission to the s^d offices respectively solemnly swear to observe & keep Yet the s^d Master Warden & Fellows have taken upon them without the consent of the s^d churchwardens (who have always duly Tendred their service in the affairs of the s^d College) to Demise & lett Leases of the Lands and Tenements of the s^d College and have also without the like consent for the space of Four years last past or thereabouts taken upon themselves to audit the accounts of the Warden & other officers of the College and notwithstanding the plain Intention of the Founder & the Usefullness of the Charity in the allowances made to the said Thirty poor persons as aforesaid and notwithstanding the Revenues of the s^d College are so considerably Increased that the Rents of their Estate amount to about one thousand three hundred pounds pr ann. whereby there remains a great surplus to be divided over besides the Pensions and payments Directed by the Founder. Yet nevertheless the s^d Master, Warden and Fellows have for the space of four years last past Refused to make and still do refuse to make the said Allowances to the thirty poor persons.

And the said Churchwardens further humbly acquaint your Grace that notwithstanding It is expressly provided by the s^d Ordinances that after payment of the several Pensions salaries and payments directed to be made out of the Revenues of the said College the Remainder thereof is to be Divided into certain proportions wherein the Master Warden Fellows & poor Brethren poor Sisters and poor Scholars are alike Interested, Yet the four fellows have claimed and as the s^d churchwardens are Informed have several times lately Rec^d an Augmentac^{on} of their several Salaries, viz^t. the Preacher Eight pounds the Schoolmaster Eight pounds the Usher Six pounds & the Organist Four pounds which augmentation of salaries, the Churchwardens are advised & humbly beleive are directly contrary to the Founders Intention & a diminution of the Rights as well of the Master & Warden as of all other the members of the said College And the s^d Master Warden & Fellows to support the payment of the said augmented Salaries pretend that at a late visitation, made of the said College before your Grace's Comissioner the s^d salaries were ordered to be augmented in manner aforesaid. Whereas the s^d Churchwardens humbly insist that if there hath been such visitation the s^d Churchwardens had no notice thereof nor had any opportunity of laying before your Grace's comissioner their Reasons against the augmentac^{ons} of the s^d salaries and have great Reason to beleive the Master Warden & Fellows did not lay before your Grace's Comissioner the ordinances of the Founder relating to the Distribution of the surplus of the Revenues of the said College.

And the said Churchwardens in great regard to the Intention of the Founder and apprehending it to be their duty to acquaint your Grace with whatever Transactions comes to their knowledge which tend to defeat the end or Intention of the Founder in so good & usefull a charity Begg leave to Represent to your Grace that they are informed the present schoolmaster of the said College is not a Master of Arts of one of the Universities of Oxford or Cambridge as the Founders ordinances expressly require.

Your petitioners therefore most humbly pray that your Grace would be pleased to Order that the s^d Master Warden and Fellows may lay before your Grace an account of the several Leases Granted by them of the Lands and Tenements of the said College without the consent of the said Churchwardens and that all the accounts of the s^d Warden & other Inferior Officers of the said College may be laid before & audited by the said Churchwardens. And that the said Pensions & allowances directed to be made to the said Thirty poor persons and all arrears thereof may be duly made & paid. And that your Grace would be likewise pleased to prohibit the payment of the said increased Salaries and that the said Schoolmaster of the s^d College may make due proof before your Grace of his being Qualified for the said office by being a Master of Arts of one of the Universitys of Oxford or Cambridge. And that your Grace would be pleased to be Attended by your Petitioners or their Council on the matter of this Petition and to make such orders Decrees and Injunctions in the Premisses as your Grace shall in your great wisdom think fit.

WILLIAM HOLLAND	}	ch. w ^{ns} of S ^t . Buttoph's
EDWARD PENTON		
BENJAMIN TURTON	}	ch. w ^{ns} . of S ^t Saviors
THOMAS INWEN		
JOHN WHITEHEAD	}	ch. w ^{ns} of S ^t Giles.
JOHN GILDER		

The Archbishop communicated this petition to the College, when the following reply was drawn up by Mr. Hume and presented on the 16th August 1728 :—

To the Most Reverend Father in God, William Lord Archbishop of Canterbury, Primate of all England and Metropolitan

The answer of the M^r. Warden, & Fellows of God's Gift College to the Representation of the Churchwardens of S^t Buttolph's without Bishopsgate &c Humbly sheweth

That the articles of Complaint exhibited to y^r Grace by the s^d Church Wardens against us, the said Respondents, being Four viz :

1. That the Respondents have granted Leases, and audited their accounts in their absence.

2. That they have refused to pay the Pensions pretended to be due to the thirty out members of their Parishes.

3. That certain additional Pensions have been paid to the said Fellows according to y^r Grace's injunction

& 4. That the Schoolm^r is not Master of Arts of Oxford or Cambridge.

The s^d respondents beg leave to answer to each of these in their order.

As to the 1st viz: The Granting of Leases & Passing our Accounts in their absence ; The s^d M^r Warden and Fellows say, That the Complainants might have been present at the Granting of these Leases, and auditing our accounts, if they would have submitted to yo^r Grace's most just & equitable Decree : and that after the suit was commenced in Chancery, their whole number could not be admitted, because it could not be known, lite pendente, whether they had any right. 'Tis true they have a legal Right now to be present, & to join with Us in auditing the Accounts : but that, we humbly conceive, gives them no Superiority over us, nor makes us in the least

accountable to them; nor must the College business be at a stand or postponed whenever they think fit to be absent.

By the L^d Chancellor's late Decree it is declared "That the Founder could not by his statutes add to the Persons of the Corporation, but might appoint Assistants, and order'd the Church Wardens to be admitted Assistants, according to the ordinances & statutes." This last Clause (according to the ordinances & statutes) must, as we conceive, be necessarily understood in such a sense as may be consistent with the two former by w^{ch} they are declar'd not to be Members, and allowed only as Assistants. If therefore the Statutes give the churchwardens any Powers & Authorities w^{ch} rebus sic stantibus, make them Members of the Society to all real effects and Purposes, or which cannot belong to them as mere assistants, they are not by this decree entitl'd to any such Powers: But the Balance intended by the Founder being destroy'd by the Reduction of o^r number, & the continuing of theirs, the Power of giving a decisive voice in all matters relating to the Governm^t of the College, & the salaries appointed them out of y^e Revenue by way of Dividend or otherways, really and in effect makes them Members, whatever name they are call'd by: for what could they have more had they been nam'd in the Letters Patent? and if they may likewise call us to an account for matters transacted in their Absence, they are more than Members, ev'n o^r Visitors & Governours, & consequently more than Assistants, unless to Assist & to Controle & Over rule be synonymous Terms, & signifie the same thing. Upon the strength of which Premisses we cannot help concluding That whatever Powers are given to the Ch. W^{ns}. by the Statutes, they can have a Right to none but such as may belong to Assistants as such i.e. To join with us in auditing the Accounts, To have a deliberative Voice only, in matters concerning Governm^t: To enquire, consult, deliberate, & advise. To concur wth the Society or Protest against their Proceedings, and apply to the Visitor, if anything shall be carried contrary to the Statutes, Injunctions, or y^e Publick Interest.

This seeming evident from the thing, & having been, as we are credibly inform'd, the sense of the Court of Chancery, the Respondents think not themselves accountable to the Ch. W^{ns}. but are ready to lay before yo^r Grace, our only Visitor the Leases we have granted, & the accounts we have pass'd, not only for these last four years when the Ch. W^{ns}. were absent, but also for as many years backward as they please; that yo^r Grace comparing what was transacted with the concurrence & approbation of the Church Wardens with our late Managem^t w^{out} y^m, may be the better able to judge of our Conduct.

As to the 2^d Point concerning the Pensions pretended to be due to the Out Members, the Respondents deny that they ever had any Right, or so much as possession till the year 1669, and consequently the A.B^p could not confirm their Right. Had there been any thing of Right in the Case, the Poor of these Parishes would have had as good a title to the Arrears as to y^e Pensions for the time to come; but not one Farthing of arrears was decreed them, or, for any thing that appears, so much as claim'd: On the contrary, the Injunction which introduc'd them was not to take place till two years after, tho' the College was rich enough, having 300^{li} in bank. The Founder had settl'd his whole Estate upon the Corporation and we humbly insist, & are advis'd, That as he could not add to the number of Members so it was not in his power to alienate any part of what he had settl'd upon them: 'Tis true his Grace A.B^p. Sheldon did introduce the 30 Members upon a Motive, (not of Right but) of Charity, and the Society acquiesc'd save that one of the Fellows enter'd his Protestation against it, but he and two more who have done the same since, were so roughly

handled for their Non-compliance that the rest were over-aw'd from using any further endeavours to get themselves righted, & have consented to pay the money tho' with great Reluctance, till now that the whole Society have conceiv'd great hopes from your Grace's Justice & Goodness to obtain Relief.

And the Respondents farther say, that the Good of the College, w^{ch} ought to be the supreme law, is not at all serv'd but greatly obstructed by it: and however his Grace might have been misinform'd then, it is so far from being a Deed of Charity now, that it is not so much as just. It is to take from us who have an undoubted Right, & to give it to them who have none, and to deprive Us and our Poor of a considerable sum every year to support theirs. That it is a Benefit to the Parishes is certain, but it may be justly question'd whether it is any to the Poor whom they are bound by the Law to maintain, & not rather an Injury, since there is reason to beleive, that the Chance of being Admitted into y^e College where they will have a full & comfortable maintenance, makes them sometimes willing to accept of a smaller allowance from the Parish than otherways they might expect: But suppose it were, materially & in itself, as charitable a thing as they would have it, yet we are sure that God accepts not of Robbery for Burnt offerings.

Under this Head the Complainants urge the Intention of the Founder, w^{ch} they may remember was one of the Principal Arguments insisted on by Us for reducing their number to a just Proportion. The Founder's Intention, we Own, ought to be much regarded, when it appears to be consistent with the Foundation, & to promote y^e Interest of the College; & when the Charity and publick Benefit is great & apparent, & the Damage accruing to the College little or none: but we humbly insist that in the Instance before us it is quite the Reverse of all this. Being bound by our Oath to maintain and defend to the Utmost of our Power, the Foundation of the Colledge, & all y^e Rights, Priviledges, & Prerogatives thereof, We have already Petition'd yo^r Grace, & do now humbly renew our request, That you will be pleas'd to give us Leave to defend ourselves at Law, if the Church Wardens shall think fit to put Us to any more trouble and expences; but this, we flatter ourselves they will not do, because before they are admitted Assistants, & thereby have a Right to intermeddle with our affairs, they must take a solemn Oath, as well as We, never to consent to the breaking or Alteration of the Foundation of the College, nor to the doing of any act or thing that may in any sort lead to the disturbance, hindrance, damage or Prejudice y^of.

To the 3rd Article concerning the Augmentation of the Salaries, The Fellows make y^e following Answer

The Founder justly observes in his Appendix to the Statutes, "That in making of Laws, human Reason cannot foresee all things, & that some useful & fit things may be omitted & others which at first may seem reasonable and profitable, may in Use and Practice prove discommodious & not so fitting to be observed." The Wit of Man cannot contrive a body of statutes so as to answer all Emergencies, take in all Cases, & obviate all Difficulties; therefore to supply these Defects, a living Judge is appointed a Visitor, to whom Recourse may be had in all cases of doubt & difficulty, who stands in the Founder's place, and may do every thing the Founder himself could legally do, or may be presum'd would do, were he alive. The Visitor (with all humility and submission be it spoken) cannot increase or diminish the number of Members, nor alienate any part of the Revenue, nor give any of y^e Statutes force which are apparently inconsistent with the Foundation; but may lawfully correct, alter and amend the other statutes, & particularly the Modus of the distribu-

tion of the Income among the Members, as time, circumstances, equity & the publick good shall require.

His Grace A.B^p. Sheldon taking into his consideration the then state of the College, & particularly the scantiness of the statutable Provision arising from the difference of times, made use of his Visitatorial Power, to amend the statutes, & supply their Defects: & decreed that the M^r. Warden & Fellows Diet sh^d be increased from 10 to 15ⁿ a year a piece. That the Poor Scholars & Servants allowance for Diet (w^{ch} was but 3⁴ p diem a piece) sh^d be made 6^d a piece. That the 12 Poor Scholars' apparel should be rais'd from 20 to 30ⁿ a year, & the servants' wages and Liveries from 27 to 56ⁿ p ann; and lastly, He thought fit to allow the M^r & Wardⁿ, the keeping of a Horse each, & wages for their men.

Your Grace out of yo^r paternal care of the College & tender regard to its welfare and prosperity did at the last visitation make diverse excellent Orders concerning the School & the publick worship of God and for maintaining oeconomy and good Order in y^e Coll. & observing that the motives which induc'd A.B. Sheldon to make the above-mentioned additional allowances are, upon many accounts, stronger now for other augmentations, yo^r Grace thought fit to augment y^e stated allowances (not partially of one or Two but indifferently) of all the Members in such proportions as you saw it most wanted. To the M^r & Wⁿ (besides increase of Diet for their men, w^{ch} is very considerable) was confirm'd the right of keeping a Horse each. To the Poor Scholars who shall be put to Trades, 5^l to set up with at the end of their apprenticeship, provided they bring proper certificates from their Masters of their honesty and diligence. A small sum to be laid out yearly in Books for the Library; & Fewel & Physic for the poor Pensioners.

Your Grace also thought fit to advance the Fellows salaries, viz. The Preachers & Schoolmⁿ to 20ⁿ per ann: The ushers to 16ⁿ, & the Organist's to 14ⁿ upon conditions that a Catechetical Lecture should be preached on Sunday in the afternoon for the benefit of Servants, & the more ignorant sort of people, the Servants of the House catechis'd and the poor Inhabitants children taught Read^g Writing & Vulgar Arithmetick, & brought up with y^e College boys to assist in the Choir. And as A.B^p Sheldon added 30ⁿ a year to our Table out of the Table allowance of the six abrogated Fellows, so these appointments were made out of their salaries, & both of them, as we humbly conceive, without breaking in upon the Statutes; since every one has his statutable allowance, & something more out of an appropriated Fund, to which no one can say he has any right by the Letter of the Statutes. It is observable that the Ch. Wardens have made no objection ags^t A.B^p Sheldon's settlement & allowances, for that were to cut the bough they stand upon, nor to some of yo^r Grace's, tho' they are all established by the same Authority, supported by the same Reasons, & liable to the same Exceptions, but, for reasons best known to themselves, have singl'd out the Fellows. But we pray we may be permitted to remind yo^r Grace of the Reasons for which these augmentations were made. They were these

1st. The true intent & meaning of the Founder was that our Chapel should be a Chapel of Ease for the Liberty of Dulwich, & that they should have a sermon in the Afternoon as well as the Morning (Vid Stat. 33). And also That the Inhabitants' Children should be instructed gratis in the College School in that sort of Learning which was most esteemed at that time viz Grammar (Stat. 66). It is plain therefore that the Founder did intend a Benefit to the Village, and no less evident, that the Preacher is not oblig'd upon the foot of the Statutes, to Preach but once a day, Nor the Sch. M^r & Usher to teach the inhabitants children anything but what the statutes

require & at the hours limited by them. Yo^r Grace considering what all the world is satisfied in now that That sort of learning is of little or no use to children of their condition, has effectually answer'd the Founder's good intention, by ordering poor boys to be taught to read, write & cast accounts, and the Sch-M^r & Usher (as is most just) to be paid for it out of the Estate. It is a known Maxim in the Civil Law "Quod is in Legem committit, qui verba legis complectens, contra Legis nititur voluntatem," for "Lex non in verbis, sed in sensu, non in folijs & cortice verborum, sed in medullâ consistit." "Æquitas" says the Philosopher, "nihil aliud est quam Supplementum ejus quod lex prætermisit."

2. Another Reason for this Augmentation was the meanness of the Fellow's Salaries. Ten or twelve Pounds might have been, & probably was, a competent Honorarium in the Founder's time, for those who were to be M^{rs} of Arts at the least, Graduates & Divines (St. 5). But the case is greatly alter'd in the Course of 100 y^{rs} and what was then sufficient, is far from being enough now to induce any well qualified person to accept of Places charg'd with so much duty, requiring constant attendance, & inconsistent wth any o^y^r preferm^t.

3. Tho the Visitor might undoubtedly augment the Fellow's Salaries upon the bare foot of Equity as He did their Table allowances, Yet he has appointed them to do something for the Service and benefit of the Publick, of which the Society partakes & may be therefore said to have an equivalent; for if the poor Sum they make so much ado about, which is divided among all the Fellows, were given to the Preacher alone, it were no excessive reward for his p^t of the duty. If they can lay out what money they please for what they think ornamental or convenient, tis hard if the Visitor may not appoint so small a sum for so great & useful purposes. The Fellows may as well have a small augmentation for doing something, as others for doing nothing more than their duty.

4. The Master (& in his absence) the Warden, by having the casting voice (w^{ch} is of vast consequence in so small a number) & the executive Power in their hands, and a Negative upon the whole Society, (but not by y^e Statutes) can in a manner carry things as they please, especially if the Assistants concur with them. By their managem^t there was no Dividend for near 100 years together, and this valuable part of our Constitution was not retrieved till of late, & that not without much struggle & opposition. During this long period of time there might have been a Dividend, more or less, every year, for the most part; but instead of this, the Lands were underlett, & wicked schemes invented to perpetuate the abuse viz The Recommendams to elude the Statute concerning the Granting of Leases.

By this & extravagant House keeping, & want of oeconomy, either the Fountain was dry'd up or the Annual Fund totally exhausted out of w^{ch} a Dividend should have been made: and ev'n lately the Warden declar'd he had sufficient money in his hands for a small dividend, yet none was made. To prevent such otherwise almost unavoidable abuses for the future, it was thought fit not to leave the society altogether at the Mercy of the Managers for a necessary subsistence, and that a Dividend should not take place till the Salaries of the Officers were, by proper additions made what the Founder left them, viz a competent Subsistence for Persons of their condition, & a valuable Consideration for their Service. These are the Reasons which induc'd yo^r Grace to make this settlement, and we humbly submit them to yo^r Grace's review.

The Ch. wardens further say, That the rest of the Members cannot have their true & just Dividend if the additional Pensions of the Fellows continue. To which we answer That the argument may be turned with greater force ags^t themselves; for if

their illegal Out Pensioners have 60^l or 70^l a year of our Money, 'tis certain the Members of the College cannot have their true & right Dividend, and it bears equally against all other additions made both by A.B^p Sheldon and yo^r Grace: for if we exceed the Limits prescrib'd by the Founder in Diet, serv^{ts} wages, & extra-statutable allowances to our own Poor, it is most evident that the Dividend must needs be the smaller for it. This Argument, therefore, if it proves anything, it proves too much, & would throw the College into the utmost confusion.

They complain that they had no notice of the Visitation, nor an opportunity of laying before your Grace's Commissioner their Reasons against the augmentation of the Salaries. To this it is answered That yo^r Grace is Visitor of the College & all its Members. If the church w^{ns} are Members of the Corporation, they had a sufficient Summons; a general Citation having been fixt upon the Chapel Door as is usual in such cases. If they are not Members of the Coll. they are not subject to the Visitor's Jurisdiction, & consequently could not be cited to appear. The Visitation having continued 15 months, & the Ch. W^{ns} having attended at two several audits in the College during that time they cannot plead ignorance, but might have made their application to yo^r Grace, or yo^r Commissioner. As to their wanting an Opportunity to object: If they think their Presence could have given a turn to y^e affair Let them bring forth their strong reasons now: We have a Judge, thanks be to God, who can be sway'd by no motives but those of Justice and Truth.

That this Decree was obtain'd by any unfair or partial Representation of the Case, is a very injurious Insinuation. The Visitation depended long. Our answers to the interrogatories were given in upon Oath; the most exact & rigorous scrutiny was made into the truth of what every one advanc'd; Our statutes & Deeds were diligently perus'd by yo^r Grace's worthy commissioner; so that had it been in any one's Will, it could not possibly be in his Power to impose upon him. And lastly a Draught of the Injunctions was solemnly & deliberately read over twice to the whole society (among whom there were some not well affected to the thing now in question) a week or a Fortnight before they were enacted, & every one with Pen, Ink & Paper before him requir'd to take notes, and not only permitted but desir'd & encourag'd to send their Remarks during that Interval, that they might be duly consider'd before the Injunctions should receive the Archiepiscopal sanction.

Lastly the Respondents are greatly at a loss to know why the Church wardens, who are absolute strangers to them, & to whom they never gave the least just cause of offence, should stickle so much against the augmentation of their salaries, & yet allow such augmentations to all the rest of the Society, yea, even to the meanest menial serv^t of the House; Is this candid & impartial dealing: A common Tradesman would think himself but indifferently well off, if he did not get 100^l a year by his business; and it is hard that a Clergy-man who has had a liberal & expensive Education to fit him for the service of God & his country, in a more honourable, useful, & important station of life, should be grudg'd less Wages than a Shop-keeper gives his journeyman.

The 4th and last objection to be taken notice off is a pretended Flaw in the School M^{rs} Title after above 20 years enjoyment, or rather Possession of the Place, viz That he has not the Academical Degree requir'd by y^e Statutes.

To this the Schoolmaster answers, That he is not y^e man the Church wardens take him for, that is He is not the second senior Fellow mention'd in the statute (Stat. 5) That Fellow having been illegally added to the Corporation, the Schoolm^r who was the third statute Fellow is now become the second, and the Organist who was the fifth, is now the fourth; But the Schoolm^r no more succeeds the second statute Fellow, or is

to have his qualification of M.A of Oxf^d or Cambridge, than the Organist succeeds the fourth Statute Fellow, & is to be a Graduate and Divine, For from an accidental Identity of Name, Order, or Stipends, an Identity of office & qualifications cannot be inferr'd. The 2^d Fellow mention'd in the Statute was indeed to be M.A of Oxf^d or Camb: But the qualifications requir'd in the Schoolm^r are only, That he be a Graduate at Large without mentioning any University, a Divine, i.e. in Holy Orders, & experienc'd in his Profession. Qualifications for a place are, for the most part, either real abilities for Discharging the office, or Strong Presumptions that the Party is possess'd of such abilities. Now the having taken y^e Degree of M.A in one of the two universities was & is justly thought a strong Presumption that the Person is well stockt with human Learning, & has had time & means sufficient to qualifie himself for being an able & orthodox Preacher in the Church of England; yet it must be allow'd that one bred up at another University may be, at least, a sufficient Schoolm^r and for that reason 'tis probable, the Founder did not restrain the Degree of the Schoolmaster or Usher to Oxf^d or Camb. and did not so much as require them to be M.A. This was the sense of the College before the present Schoolmaster knew it, for his immediate Predecessor was but A.B. And that the present Schoolm^{rs} Degree was sufficient was not only the Unanimous Opinion of the then society, but also of his Grace the late A.B^p who had reason to be well acquainted with the Statutes, having been put to a great deal of trouble some time before to lay the waves rais'd in this Bottle. When the Power of electing lapses to the Visitor, he becomes the sole Judge of the qualifications of the Person to be elected, and in the late A.B^ps Mandate, by w^{ch} the Schoolm^r was admitted He is designed Magister in Artibus apud Scotos, for which he can produce his Diploma. He will ever thankfully acknowledge the favour done him by his Grace, but it has prov'd no great Benefit; and he has had so little comfort in it, especially of late years, that it is his daily prayer that Providence would open some way for Him to escape.

This is the sum of what we have to answer to the Church W^{as} Representation, and we humbly submit the whole affair to yo^r Grace to determine therein what you in yo^r great wisdom shall think meet.

Given under our Common Seal
Aug. 16. 1728.

L. S.

J. ALLEN M^r
RICH^d DOVE P^r
JA HUME Schm^r
JN^o HILARY Ush.
DA. CHERITON Orgst

It will be observed that the Warden did not sign this answer.

On the 4th September 1728, the churchwardens attended the audit, the first held since the Lord Chancellor's decree, Mr. Hume drawing up a minute as to their behaviour on the occasion in these terms:—

Sept^r 4. 1728.

This day the Church wardens repair'd to y^e Coll: and one of them being a quaker was repell'd for refusing to take the Oath prescrib'd by statute (for which we have a President—*sic*) and one more of 'em was sworn, tho' he likewise ought to have been

rejected as being brought to supply the Place of an Upper Ch. Wⁿ whom alone by our Ancient Custom we are to receive. They ought not to be allow'd the Privilege of substituting a proxy no more than we; nor is it reasonable that a factious Ch. Wⁿ or two should be permitted to garble their whole number for Persons of their own kidney to carry a Point.

They seem'd to come with a Disposition to be angry and to pick quarrels, & not to act, for they demanded such things as they knew we could not possibly grant viz.

1st That they might see and examine our accounts for the 4 last years when they were absent.

2. That the Leases granted in their absence should be recall'd &

3. That Enquiry should be made into the Qualifications of the members.

To the 1st it was answer'd, That as private men they might see all our Accounts, & make what Observations upon them they thought fit; but they could not be permitted to examine them as Auditors & Judges, because they are lawfully audited already, & subject to be judicially inspected only by his Grace the Visitor: and because the statutes give the Church W^{ns} Power, in conjunction with us, to view the accounts every half year, no farther back than the last half year immediately preceeding (vid St. 94).

To the 2^d That the Leases made, as well as the accounts pass'd, in their absence, were good in law & neither needed their approbation, nor could be invalidated by their Dissent.

To the 3^d That the Titles and Qualifications by which the Members held their Free Holds, are not subject to their cognisance.

And to all the three Demands it was answer'd in general—That these very points they themselves had laid before the Visitor by their late Representation & Petition, which has put the matter absolutely out of our Power, and as it was arrogant & Presumptuous in them to prefer a Petition, & not to wait for an answer so it would be undutiful & absurd in us to anticipate his Grace's judgement. And further, That we could not comply with their Demands without owning them, who are but our Assistants, for our Superiors & Visitors, which were not only highly disrespectful to his Grace our only lawful Visitor, but notoriously to betray the Rights & Priviledges of the College w^{ch} we are bound by our Oaths to maintain to y^e utmost of our Power. Upon which they refus'd to do their duty as Assistants & departed, tho' the M^r & Wⁿ besought them to stay upon any terms, & offer'd to do every thing they desir'd. If his Grace would send some fit Person to inspect & audit the Accounts of the last 4 years, it would put an effectual End to that part of the Dispute.

The accounts were signed by the Master and Warden only, the Fellows probably declining to sign in consequence of their not having received their increased salaries.

The Archbishop seems to have asked for a statement of the expenses, which Mr. Hume furnished as follows:—

A state of the Annual Expences of the College according to the Statutes & Injunctions 1728.

	£	s.	d.
To the M ^r W ⁿ & Fellows Table	60	00	00
Added 5 ⁿ a piece	30	00	00
The 12 boys Diet at 3½ pr diem	59	06	03
Added	50	03	09

	£	s.	d.
To the 7 Servants Diet	34	11	11 $\frac{3}{4}$
Added to the 5 Coll Serv ^{ts}	20	18	02 $\frac{3}{4}$
Bread and Beer for the poor	36	10	00
The M ^{rs} Pension	40	00	00
His horse	10	00	00
Added to his Man's Diet	4	03	07 $\frac{3}{4}$
The Wardens Pension	30	00	00
His horse	10	00	00
Added to his Man's Diet	04	03	07 $\frac{3}{4}$
The two Senior Fellows Pensions	24	00	00
Added	16	00	00
The two Jun ^r Fellows Pensions	20	00	00
Added	10	00	00
Strings &c	01	03	04
Poor's Pensions	73	00	00
Added for Fewel	14	08	00
And for physick	10	00	00
Poor's Gowns	06	00	00
Poor Scholars Apparel	20	00	00
Added	10	00	00
Assistants	03	00	00
College Serv ^{ts} wages	14	00	00
Added	17	00	00
Feasting	03	06	08
To the Library	06	00	00
	<hr/>		
	£637	15	6

N.B. The Founder (as the Ch W^{ns} observ'd in the Representation) has limited our annual expences to 600^{li}, and our present stated expences according to y^e statutes with all the Additions made by the Injunctions of both the AB^{ps}, amounts but to £637, of which the Augmentations given to the M^r & Warden are at the lowest Computation near 30^{li}. The College will be greatly obliged to the Ch W^{ns} if they shall make strict Enquiry how the rest of the money has been dispos'd of, by what authority it was laid out, & those concerned required to produce their vouchers. If they shall do this impartially making the statutes & Injunctions their Rule, they will not only act as becomes good Auditors, but demonstrate to the World by their Usefulness that we were in the wrong to endeavour to seclude half their number.

The Warden still withholding the additional salaries of the Fellows, the latter addressed the following petition to the Archbishop:—

To the most Rev^d Father in God, William L^d Archbishop of Canterbury, Primate of all England and Metropolitan

The humble Petition of Richard Dove, James Hume, John Hilary, and David Cheriton, Fellows of God's Gift College in Dulwich.

Sheweth,

That your Grace and your Predecessors having thought fit to augment the statutable Allowances of all the Members of our Society, The Warden of the College has

notwithstanding, taken upon him contrary to his Duty, to supersede the Execution of your Grace's late Injunction with respect to your Petitioners, and stopt payment of the Pensions allow'd us by the same, w^{ch} obliges your Petitioners humbly to apply to your Grace as our Visitor for relief.

RICH^d. DOVE
JA. HUME
JN^o. HILARY
DAVID CHERITON.

(No date, but endorsed 1728).
Lambeth MSS. 1118, No. 21.

And in September 1728 Mr. Hume wrote this letter to the Master:—

Sir

Sept^r. 1728.

Calling to mind the last words his Grace spoke to me t'other day when I came out of his chamber, That it were much better & wiser for the warden to do his duty at this Juncture, than to oblige him to interpose his authority; and considering seriously what might be the true intent & meaning of the Churchwarden's Paper of the 13th of June last, which manifestly appears to be in itself irregular, partial & unjust; irregular, because done by persons who were not our assistants & at a time when the Assistants have no concern wth us; partial, because they omit several augmentations against which their objections lie as strong as agst the Fellow's Salaries; & unjust, because nothing can be more so than to stop the paym^t of Salaries when the duty is done, & the conditions perform'd upon w^{ch} they were granted. Considering, I say, all this, & how little reason Our House has to expect any good from that Quarter, I could not help entertaining a strong suspicion, that they have quite another meaning than by the specious outside appears. I am persuaded I have now discovered the Snake in the Grass, & wonder we did not discern it sooner. I think we may now take it for granted, that if we are not wanting to ourselves, we shall never more pay the illegal Pensions to their Out Members. The only Question is about their arrears. They have artfully contriv'd a way to divide us among our Selves by throwing in this bone of contention, & to put the Fellows under a necessity of applying to the Visitor, for relief: and not doubting but that the A.B^d. would resent the manifest insult upon his authority, & oblige the warden to pay our arrears, the use they would make of it would be to urge this as a fresh Precedent for the payment of theirs: for, say they, if the A.B. has obliged the Warden to pay the Fellow's controverted Arrears, w^{ch} have no other Foundation but his own Injunction, why should not we also have ours, w^{ch} are founded upon the same authority? As for the part the warden acts in this affair, his Scruple is so weak & groundless, that I cannot help thinking he is either caught unawares in their Toyls, or (which is horrible to think) that notwithstanding all his pretences to the contrary, He is secretly confederated with our enemies: for what better security can he have for paying this money than he has already, viz, the Visitor's Injunction? Has he any better security for a great part of his other Disbursements? and does he not every week, in defiance of the Statutes, lay out the publick money without a written Order entered in the Book? (Comp. St 93 & 94 sub fin). So that what he pretends is neither a good reason in itself, nor his true one: for if it were, it would operate uniformly. S^r. you have known me these 16 or 17 years & I can appeal to you whether I have not always pursu'd the publick Interest with an honest zeal, for the most part in conjunction with yourself, & we may say

without vanity, not without some success. Poor as I am, I would disdain to accept of one farthing which I thought I could not enjoy with a good conscience. To defeat the sly designs of o^r Adversaries I propose that the enquiry into our Right to the additional Salaries be defer'd till their affair is over, and then in God's name, let it be thoroughly discussed, and if it appears that our Title is not good, I for my part, shall be as willing to resign it as any one would have me. No Interest of mine shall ever interrupt that of the publick a moment. I propose this expedient, That if the Warden's scruples are real, & he insists upon his not being secure, we will give him our own security & oblige ourselves to refund the money if we shall be cast hereafter upon a fair hearing. I leave the consideration & management of this affair to yo^r prudence & discretion, who can give the matter what turn you will

& am, yours sincerely

J. H.

On the 16th of the same month he addressed the following letter to the Dean of Arches (Hume MS. in British Museum) :—

Sir

His Grace, as I am informed, having communicated to you the Ch. w^{ns}. Representation and Petition, I thought it might not be improper to pray you to peruse likewise the answer we have return'd to it. You have likewise enclos'd a minute of their behaviour at the Coll. on the 4th of Sep^r. These people, you see grow unsufferable; they are not contented to be what my L^d Chancellor has made them, Assistants, but will needs hoist themselves up into Visitors. They know not how to use their victory (if it is one), for if they are mere Assistants, (& the Decree seems to make them no more) twenty of them could do us no harm but with their teeth. This trouble we owe in a great measure to our own misconduct, to a false step we made at our first setting out. Had it not been for that, Equity, in all probability had not been over rul'd by Common Law, nor his Grace's most just Determination superseded by an Oracular Decree, w^{ch} ascertains indeed the number of the Assistants, but leaves their Powers so uncertain & doubtful, that it may be plausibly enough interpreted by both Parties in their own favour, & which is y^rfore so far from being a solid ground of Peace, that like Cadmus's serpent's teeth, 'tis like to prove the fruitful seed of War. However, their fancied success has animated these pragmatcal Gentlemen to further degrees of insolence, for in June last (a time when they have no manner of concern with us or our affairs) they came & protested against his Grace's augmentation of the Fellows' salaries. Upon w^h our Warden, who is their Creature & inviolably attacht to their interest, presum'd to do by his own Authority (si Dijs placet) what none of his Predecessors, nor the whole society ever durst attempt since the Foundation, viz, to suspend the execution of his Grace's Injunction, & stop our Pensions. Such proceedings seem to affect his Grace's Honour no less than our Interest and therefore I doubt not but he will exert his Authority & effectually repress the growing Insolence of these troublesome people.

Justum et tenacem Propositi virum—Non civium ardor prava jubentium—mente quatit solidâ. Merit we can plead none: all our hope is that y^r Goodness & inclination to protect the opprest will dispose you stand our Friend in this affair. Excuse the Liberty I take in giving you this further trouble about our petty concerns, & beleive that I am with the greatest sincerity & respect. Worthy S^r

Y^r most faithful humble Servant

J. A. HUME.

Dul: Coll. Sep^r 16. 1728.

The Dean replied on the 19th of the same month as follows (Hume MSS.) :—

Fulham Palace Sep 19 1728.

Rev^d Sir,

I have carefully perus'd yo^r Answer to the church Warden's Representation & Petition and perfectly approve of every part thereof except the undeserv'd compliments to me. You know S^r, it was my misfortune to differ from his Grace in the steps taken by him upon the Petitioners application to Chancery: However As he has been pleas'd to communicate to me this very extraordinary Representation of theirs 'tis probable I may receive yo^r answer by the same canal, & my opinion be requir'd y^rupon. M^r Warden must have a mean opinion of his Grace's Injunctions will pass w^out censure I am S^r.

Yo^r most affectionate Friend

J. B.

Mr. Hume has appended to one of his letters the following note :—
“ Upon a severe reprimand from the Archbishop the honest Warden thought “ fit to submit ;” from which it would appear that the additional salaries were shortly afterwards paid.

The College was eager to go to law again, hoping thereby to get rid once and for all of the thirty out-members, who were considered to be excluded by the decree in Chancery ; so on the 21st September 1728 the following indemnity to the Archbishop against his costs was signed :—

(Lambeth MSS. vol. 1118, No. 18.)

COPY OF THE ORDER.

At a private sitting
Sept^r. 20. 1728.

Present, the M^r. Warden, Preach^r
Schoolm^r and Organist

Ordered that a Writing shall be drawn up, and the Common seal affixed to it, giving Assurance to his Grace the A.B^p of Canterbury that whatever Expence he has been at already, or shall be put to hereafter as our Visitor shall be repay'd him, And the Warden is hereby ordered to pay the same, And that the Instrument shall be presented to his Grace by the Master.

J. ALLEN
RICH^d. DOVE
JA. HUME
DAVID CHERITON

COPY OF THE INSTRUMENT.

Whereas his Grace William L^d Archbishop of Canterbury is Visitor of the College of God's gift Coll: in Dulwich, and, as such, may be engaged in expensive Law Suits: We the M^r. Warden & Fellows of the s^d College humbly pray his Grace to undertake our Defence, if there shall be occasion, and do hereby promise and engage, as is most

just & reasonable to indemnifie his Grace & repay him all the expences & charges he hath been at already, or shall be put to hereafter upon that account

Given under our Common Seal
the 21 day of Sep^r. 1728.

(L. S.)

In the presence of
THO WOTTON
JOHN DAY

Both the Archbishop and the College seem to have laid a case before Mr. Serjeant Whitaker, whose opinion, as given to the Archbishop, was as follows:

On perusal of the Letters Patent & other Deeds founding the College I am of opinion that these Churchwardens, constituted Assistants by the Founders Statutes of 29 Sept^r. 1626, are no part of y^e Corporation. And his Grace the Archbishop of Canterbury (the Constituted & undoubted Visitor of this Colledge) has no authority power or Jurisdiction over them as Visitor of this Colledge, And that these Churchwardens (tho' named Assistants by the Founder of this Colledge) by their petition or representation do not give his Grace considered as Visitor any power over them, and I am of opinion his Grace as Visitor of this Colledge need give no other regard to this petition or representation than of a mere stranger.

As to what is desired by this petition to be rectified as is pretended & insisted on.

1. As to the leases, they are granted by the Corporation & tho' without the consent of these Assistants, yet they cannot now be avoided.

2. As to the accounts of the Warden & other officers of this Colledge. The Corporation have given these Petitioners a fair answer. The Petitioners were absent, they may if they will review these accounts & if they can lay their fingers on and shew any mistake or errors It may be rectified at any other audit when these Pet^{rs} or their Successors shall see fit to attend. But there is no reason or is his Grace as Visitor obliged to injoin a review of these accounts.

3. As to y^e pensions & allowances directed to be made to the 30 poor persons described in this petition, I am of opinion neither the arrears for the tyme past nor any growing payments ought to be made to these 30 poor persons. By the deed of y^e 24 Apr. 1620 All the Messu^{es}. & Lands whereof this Colledge is endowed are appropriated to this Corporation, and the Statutes made the 29 Sept 1626 could not alter or limit any part of the rents issues or pfitts of these Messu^{es}. & lands to any other persons whatever than to the members of this Corporation, nor could the founder by these statutes add any members thereto and therefore I am of opinion that none of these payments ought to be made to these 30 poor persons But that the Injunction made by y^e late Archbishop of Canterbury D^r Sheldon to oblige the payment thereof should be relaxt & wholly discharged by his Grace the present Visitor and I am likewise of opinion, that the other payments directed by these statutes, to any other persons not members of the first Corporation, or servants to that Corporation or for other necessary occasions of the Corporation, ought not to be paid tho directed by the founders statutes, because by the founders endowment in the year 1620, all profits & income of those Messu^{es} & lands are to be aplyed for the benefit & to y^e use of that Corporation and by no subsequent act could the founder alter the uses thereof.

But indeed since there are such Injunctions by the late Archbishop D^r Sheldon, to avoid clamour from these 30 poor persons & these Assistants on their behalf It may be reasonable (if his Grace the p^{se}nt Archbishop sees fit) onely to relax the Injunction

in that behalf til such tyme as this matter be settled in one of his Maj^{ties} Courts at Westminster. But this I do not advise further than as a matter off prudence, for I am of opinion his Grace as Visitor is the proper Judge of this matter.

4. As to the Salaries complained of in this petition and whereof payment is desired to be prohibited &

5. As to the qualification of the schoolm^r. His Grace is the sole and only Visitor, and if the endowment of 1620 and the statutes so far as they are pursuant to the charter & the endowment be but considered there is no roome for any complaint. But his Grace being the onely Visitor of this Colledge I am of opinion his determination onely as to these 2 matters is to decide & determine & my opinion is that in neither of these two there is any cause of complaint

EDW^d WHITAKER

11 Oct^r. 1728.

The Archbishop also consulted Lord Trevor,* as appears from the following letter to Mr. Hume :—

Rev^d Sir,

Being yesterday at Lambeth I understood that my L^d. Trevor, whom I purpose to advise with about the present affairs of yo^r college, & whose Judgement I shall chiefly rely upon, will return this week out of Bedfordshire. That I may be the better prepar'd to confer with his Lordship, I have once already discours'd with my neighbour Sergeant Whitaker, & communicated your statutes to him, & what are the chief Points at present under debate. I am to have his full Opinion & advice next Tuesday Morning; and for his better giving it in the matters relating to yo^r Estate (as Letting of Leases; the Pensions given by yo^r statutes to the Out Pensioners of the three Parishes &c) He would be glad to have seen what the King's Letters Patent say, and yo^r Founder, either in his settlement of yo^r College, or his Fine for passing his Estate to it, as to the Powers granted you to let Leases, or to pass accounts, or as to his granting his Estate to you; because these must govern all this matter in Law, & not any statutes after made. I wish you could any time before Tuesday Morning let those clauses be copied from the King's Patents, the Founder's Establishment of yo^r College, & his settlement of his Estate upon you. I hope we may find a way to have these matters determin'd both with less expence, & in a shorter time, than by Chancery, and without asking the Church Warden's leave for it. Since these Gentlemen take so much upon them, I think it necessary these things should once for all be settled by Law, that I may know what my Power is, and you what your rights are. I desire to do nothing but what is both agreeable to Law & what I think will be for the benefit of the Corporation. I will not attempt any thing against their Rights, nor (if I can help it) be depriv'd of any of my own. Pray give me your assistance in what I above desire, or let any body attend with the writings, who may carry them back to the College. Our Meeting will be here at my house at ten a clock in the Morning, Tuesday next. I am

Rev^d Sir

Yo^r Loving Friend

Croydon. Oct 3. 1728

W. CANT:

My service to the M^r.

Let my Letter be communicated to him, & assure him y^t I aim at nothing but y^r Peace & Welfare of your society.

* Thomas Trevor, Solicitor-General 1692, Attorney-General 1695, and afterwards Chief Justice of Common Pleas. Created Lord Trevor, 31st December 1711; Lord Privy Seal, 1725/6 and 1727; President of the Council, 1730; died, 19th June 1730. The title merged in that of Hampden.

Mr. Hume replied as follows :—

My Lord

Being afraid lest something material might be omitted thro' my unskilfulness in transcribing clauses from the Deeds, & considering that my Lord Trevor or Sergeant Whitaker may probably want to see them, it was thought more adviseable to send the Deeds themselves. Our most valuable evidences and dearest Interests cannot be safer than in yo^r Grace's Custody; and lest the Originals should be at Lambeth I have also sent Copies of the Churchwarden's Representation and our answer, that by comparing their allegations with ours, & both with the Deeds & Statutes, the truth may the more evidently appear to those your Grace shall advise with. We are infinitely beholden to yo^r Grace for taking so much pains to promote our Peace & Welfare; and God forbid we should desire any thing but that matters may be fixed at last upon the sure Foundation of Justice; and that those controversies w^{ch} have vex'd & disquieted this Society from its first Establishment may be now pull'd up by the Roots, & an effectual Provision made for its future Quiet & Welfare. He that contends for Common Rights with Lower views than these, means not the Community, but Himself.

Multiplicity of Laws, and those Obscure, Inconsistent & Defective, have always been, & cannot fail of Being, a fruitful Fund of Quarrels & Disorders. Yo^r Grace will observe that A.B^p. Sheldon consider'd our Statutes & his own Injunctions too (like those of Moses) not as the best that might be in themselves, but as the best that could be had for the time, till a better Settlement could be procur'd from the King. Happy were it for this poor Society, if a Body of Laws were extracted from those we have already, plain, intelligible, consistent with the Foundation, & with y^mselves, agreeable to the true Intention of the Founder, suited to the present condition of the College and (without w^{ch} all the rest would signifie little) the due Execution of them Secur'd. Then might peaceable men who love Study & Retirement, hope to serve God, & do their Duty without disturbance, & eat their Bread in Peace w^{out} being obliged to fight Prizes for it. I should think it the greatest honour & happiness of my life could I contribute any thing to the furthering of so good & charitable a work. I am with the profoundest respect

My Lord

Yo^r Graces most faithful, most humble & obed^t. Serv^t.

Dulwich Coll:

Oct 7. 1728.

JA. HUME.

The Archbishop determined to act upon the opinion of Serjeant Lutwyche, so on the 13th November 1728 he sent the following answer to the churchwardens' petition :—

13 Nov^r. 1728.

The Archbishop of Canterbury's Answer to the Petition and Representation of W^m. Holland, Edw^d Penton, Benj. Turton, Thomas Inwen, John Whitehead & John Gelder, being the two Upper Church Wardens of y^e Parish of S^t Buttolph without Bishopsgate in the City of London, the two upper Ch. W^{ns}. of the Parish of S^t Saviour in South-wark in the county of Surrey & the two upper Ch. W^{ns}. of that part of the Parish of S^t Giles w^{out} Cripplegate in the County of Middlesex.

Though I am sorry to see such a Spirit in the Church Wardens, who seem to make it their endeavour to pick a quarrel with the Visitor & with the M^r. Warden, & Fellows

of Dulwich College, yet I am resolv'd, in pursuance of the Apostle's Directions, if it be possible as much as lieth in me, to live peaceably with all men, and in order thereunto shall be ready as far as is consistent with my right of visitor of that College, to join with them in getting all matters in debate, so settl'd by law, that there may be no room left for any further contention about them.

The protest subscrib'd by them, & delivered in to the College the 13th of June last past, to stop the Paym^t of the Augmentations made by my order to the Salaries of the Four Fellows in my last visitation, & for not paying of which the Warden was liable to have been censured by me: The remonstrance now made against my Injunction in that particular, at the same time that no notice is taken of, or complaint made against A.B^p. Sheldon's Injunctions, who did the very same thing, but in a much larger Degree; the attempt to deprive the Schoolm^r of his Place and Office, into which he was put by my Predecessor the late Visitor, and in which he has ever since been continued by Him & myself, as undoubtedly qualified for it by the Statutes of y^e Coll. All which are such plain Indications of a Contentious Spirit, seeking an Occasion of Quarrel, as I cannot but be sorry to observe, tho' I shall never be mov'd by any of these Enterprizes to make any unfitting return to them. And therefore tho' I might well decline taking any notice of, or giving any answer to their present Remonstrance, yet I will so far comply wth their desires as to return a particular answer to their Several Proposals in it.

1st For the Leases made by the Mast^r. Warden & Fellows in the absence of their Predecessors, and without their concurrence, I am advis'd by Counsell Learned in the Law, that the whole Power of Granting Leases is vested solely in Them, and that they to whom those Leases are Granted have thereby obtain'd such a legal Right to them, as neither I, nor any body else, can avoid; nor will the Consent of the present Ch. W^m. give any legal strength to them, nor their Dissent make them ever the less binding: So that there is nothing for either them or me to do in this Particular.

2. As to the Accounts which were made up in the absence of their Predecessors, If there be any Errors or other Faults in those accounts, for which they ought to be receiv'd, Let them be shewn, and a proper care shall be taken to set them right. But otherwise I see no reason to subject those Accounts to their Approbation, which come not within the time of their Assistance, and at the Passing of which their Predecessors might have been present, as far as by the Visitor's Injunction, then in force, the M^r & Fellows could allow y^m to have been.

3. For the Pensions paid to the 30 Out Members, The Master, Warden & Fellows have Represented to Me, That they are advis'd by their Counsell that the Founder had no power to lay any such burden upon them, That the whole estate of their College had for several years before the making of the Statutes, by which those Payments are appointed, both by the King's Charter, & the Founder's Grant, been legally vested in their Corporation, and could not be apply'd to any other use; and thereupon have desir'd my consent, that notwithstanding A.B^p. Sheldon's Injunction They may be at Liberty to bring the Right of these Payments to a Legal Determination. Upon this Request made to me by the College, I have advis'd with Counsell for my own Satisfaction & Direction in this matter, and am by my Counsell inform'd that the College have good Reason for what they desire & that I ought not to deny them the Justice they request of bringing this matter to a legal Issue; which will be the best Direction for us all to follow, & put a final end to all Disputes about the matter: and this I have accordingly resolv'd to do.

4. For the augmentations made at my late Visitation to the Salaries of the Preacher,

Schoolmaster & the two other Fellows, they were neither hastily made, nor surreptitiously obtain'd, but after a long and mature Deliberation. I am advis'd & persuaded that in appointing of those Augmentations I did no more than what I had sufficient Power as well as very good reason to do. I followed A.BP. Sheldon's example but did not go a quarter so far as he had done before me. If the Assistants think that A.BP. Sheldon & I have both of us herein exceeded our Power of Visitors, the Law must determine that point. For tho' I do insist upon my Right as Visitor for what I have done, yet I shall always be ready to submit to what shall be determin'd by Law, if I have been mistaken in the exercise of my Authority therein.

5. The Schoolmaster is no M^r. of Arts in either of the Universities of Oxf^d. or Cambridge, nor was his Predecessor so before him. I am informed that in the late A.BP's Mandate for his admission He is stiled *Magister in Artibus apud Scotos*, and that so he is. If the Assistants have any reasons to induce them to doubt of this, I will inquire further into his Qualifications: otherwise I shall acquiesce in the care my Predecessor took of that matter who very well knew what he did & what the statutes directed him to do.

The churchwardens were naturally not satisfied with this answer, and threatened legal proceedings for the recovery of the pensions of the thirty out-members. In order to allow the College to bring the whole question before the Courts, the Archbishop issued the following letter suspending the Injunctions of Archbishop Sheldon :—

Gentlemen, When I received your Petition the last Summer wherein you represented to me that you were informed by Council Learned in the Law that the pensions which in obedience to Archbishop Sheldon's Injunction have been paid by your college to the Churchwardens of the parishes of S^t Buttolphs without Bishopsgate, S^t Saviour's Southwark and S^t Giles without Cripplegate for the use of the poor of their respective parishes were utterly illegal & inconsistent with the Deeds of Foundation and that therefore you desired me to Suspend or Relax the said Injunction so far as that you might be at liberty to try your right with the said Churchwardens by the law of the Land. Upon due consideration thereof I thought your request so reasonable that I had resolved to give my consent thereunto and directed a Letter to be prepared for that purpose. But in the mean time the said Churchwardens laid a Representation before me wherein among other things they complained that the said pensions were not paid pursuant to the statutes and Ordinances of the College and the said Injunction of my Predecessor and prayed my directions for the execution and enforcement of the said statutes and Injunction in this behalf. This gave me an Occasion not only to Reconsider the matter very carefully myself but also to take the advice of Councell for my further direction herein, and after mature consideration I sent the following answer to that part of their application (see *ante*, p. 267).

And being now informed by you that the said Churchwardens are at this time concerting the proper measures in order to bring this affair to a Legal determination I do therefore both in compliance with your Request and in pursuance of the advice of my Counsel and that I may show my own readiness on all occasions to do my part towards promoting the welfare and prosperity of your College and removing any Burthen that may have been without cause laid upon it; hereby signify my consent that whenever the Churchwardens of the s^d Parishes shall bring this matter to a Legal Tryal in Westminster Hall You may be at Liberty notwithstanding the Injunction of

my predecessor ArchBishop Sheldon to proceed with them in the trying of this cause as freely & without any Restraint upon that account as if no such Injunction had ever been made. And I do in order to that End suspend the Force of that Injunction so that neither you the master and warden nor any of the Fellows or other members of the said Corporation shall be either esteemed to be obliged by it or suffer any Inconvenience by reason of your not observing the same.

Provided always that if it shall be adjudged upon a legal Tryal that you are obliged to pay the said Stipends mentioned by your statutes to be payable to the said Thirty out members of their severall parishes the Injunction of Archbishop Sheldon hereby suspended shall be revived from thenceforth as in full force and be observed by you as if it had never been suspended at all.

I am,

Gentlemen,

Your very Loving Friend

W: CANT.

Lambeth Jan: 22^a 1728/9.

Upon this the churchwardens were left to their legal remedy. They seem, however, either to have failed in raising the funds necessary for a law-suit, or to have been advised against commencing one; for they allowed the matter to drop, and the question was not revived until the year 1747, when another attempt was made to rehabilitate the thirty out-members under the visitorship of Archbishop Herring.

On the 4th March 1728/9 the churchwardens signed the accounts, but with the following rider: "Saving all just exceptions to the increased salaries of the Preacher, Schoolmaster, Usher and Organist." A dividend of £300 was declared, and it was ordered "that for the future the Warden of this Colledge shall not pay or discharge any Tradesman's Bill or any sum of money whatsoever without an Order for that purpose made by the Master Warden and Fellows, or the major part of them. And that all agreements made with Tradesmen or others for buying or selling anything whatsoever relating to this Colledge be entered in a book to be kept for that purpose. And that the delivery and receipt of all Goods on account of this Colledge for which ready money is not paid be likewise entered in the said book."

It does not appear whether the churchwardens were sufficiently reconciled with the College to accept their three parts of the dividend on this occasion; but on the next dividend being declared on the 4th March 1728, it is noted that they were paid their three parts out of 600 for horse-hire, viz. £1. 15s.

On the 27th June 1729 it is stated in the Private Sitzings book, that "Whereas Thomas Brown a poor Scholar of this house is so incorrigibly wicked that all methods to reclaim him have proved ineffectual, to prevent the ill consequence of such an example, It is thought necessary to put him forthwith out to a proper master." On the 18th July 1729 the

following order was made as to the introduction of strangers to the College table, and other matters:—

1. Order'd that whoever shall bring any Stranger to the Common Table, or entertain him in his chamber at Dinner or Supper, shall forfeit toties quoties one shilling. Reserving to the Master or in his absence to the Warden a Liberty to entertain the tenants when they come to pay their rent and to every one of the society the Privilege of inviting a Friend 3 times in a quarter.

2. That a list of such strangers shall be presented to the Board every Friday night, that a true account may be kept and the Forfeits when they happen entered by the Warden in the extra book and stopt out of the Pensions.

3. That whoever shall be convicted by y^e Testimony of the Gardiner or otherways of abusing his liberty of the Garden shall forfeit his key for that season.

4. That a Napkin shall be laid in the Parlour every morning at 8 of y^e Clock that the fellows may breakfast there only.

5. That these present orders and the Rules formerly given to the servants be strictly put in Execution.

On the 7th August 1729 the thanks of the College were voted to Mr. Hume for his labour and care in putting the library into order and method.

Mr. Hume seems to have asked for payment in respect of this, but the College "humbly conceived that the Præmium which he now demands of "the society," was "not only contrary to his former express declaration, "but to the statutes of the College, without consent or agreement."

Mr. Hume at this time had received the preferment in the diocese of Lincoln, which has been already mentioned, and was no doubt preparing to leave the College. It seems that he was much absent from it during the early part of 1730, for he was fined for non-residence no less than three weeks in succession, from the 27th February to the 13th March 1730. He finally resigned on the 3rd July 1730, having been the ruling spirit of the College for nearly twenty-four years.*

His place was filled up by the promotion of John Hilary, the usher, on the 25th July. Mr. Rushworth was elected usher on the 28th August, but refusing to take the oath, his place was declared void on the 4th September, and was not filled up until the 24th July 1731, when Richard Hart was admitted by letters from the Archbishop. Mr. Samuel Tanfield Hawkes was also elected organist on the 20th December 1731, *vice* David Cheriton resigned.

On the 4th March 1730/1 the Warden repaid into the College funds the sum of £7. 10s., which had been charged for the gowns of the thirty outmembers in 1727, with the remark, "The outmembers not being clothed "in 1727, returned into stock by J. A."

The Register of this year, 1731, records the burial at Dulwich of "Mr "Anthony Boheme† y^e famous Tragedian" on the 10th January 1731/2,

* Extracts from Mr. Hume's letters and journals will be found in the second volume.

† Macklin, who remembered him, said he was a mannerist, and much overrated as an actor.

John Egleton,* "a player," having also been buried on the 19th February 1727/8.

On the 5th July 1731, John Alleyn, the Warden, died, and William Allen was elected to succeed him on the 26th July.

The record of the election states that it was conducted "exactly in the same manner as the last election was."

There were ten candidates, the two selected to draw lots being Captain Robert Allen, aged 60, and William Allen, grocer, aged 54. Captain Allen drew the blank lot, so William Allen was elected Warden.

On the 5th March 1732/3 there appeared due to the College £621. 18s. 11½d., with arrears £67. 5s., and £600 was divided. This was the largest dividend yet declared, but it seems the Society thought it should have been still larger, as they made the following order respecting arrears:—

Whereas at an audit held the 5th of March 1715 there was an order made that the warden should take care by all legal means to prevent the tenants from being in arrears for Rent at the Audits. And whereas every member has a Right to his share or Dividend of all money which is due at the March audit: And it being the duty of the auditors to see that the 12 old people have their right and true dividend. It is now further order'd that the Warden for the time being do take care to prevent any complaints for the future: and that He shall not suffer any of the Tenants to be in arrear at the March audit. And if any shall be in arrear it shall be look'd upon as credit given on his own account, and it shall not be allowed in his accounts, it being a wrong to the Poor and a prejudice to all the Society. And that he have a regard to the Order made the 4th of March 1728 relating to Tradesmen's Bills &c.

At the next audit in September, the Court ordered that the College is bound to keep the buildings in thorough repair, without waiting for an audit order.

Nothing of importance is recorded for the next two years, but in 1734 there seem to have been serious complaints of the conduct of the Warden.

The following entries on the subject occur in the Private Sitzings books:—

Friday May 10 1734. Complaint having been made that y^e warden has given orders to y^e Cook to make use of the Colledge provisions towards y^e maintaining of y^e s^d Warden's daughter and that all y^e money paid for y^e s^d provisions has been allowed to y^e warden in his accounts. It is adjudged to be a fraud committed by y^e s^d Warden to y^e value of 10^d for w^{ch} y^e society as per 93 statute doe agree that he the s^d warden shall for this his first offence pay 1^s/8^d and that he shall charge y^e same in his next account.

J. ALLEN, J. HILARY, RICHARD HART, SAM^l HAWKES.

5 Oct. 1734. The Warden having this day given in his accounts and having therein made no charge of the five pounds five shillings which he had received of the

* Best known through his wife, who was the original Lucy in the "Beggars' Opera."

widow at the 9 Rolls in the Strand on the 29th of Aug^r last, and being asked whether any body had paid him any money for Bavins more than he had charged himself with: he affirmed that he had charged all that he had received and it being proved that he had received the s^d five pounds five shillings and that he never had accounted for it. It is adjudged to be a willful fraud, and he is therefore fined fifteen pounds fifteen shillings for the same, this being his second offence, and he is hereby ordered to charge himself with the same in his next account.

J. ALLEN, J^{no} HILARY, RICH^d HART, SAM^l HAWKES.

7 december 1734. The Warden having in his accounts on the 8th of June 1733 charged seventeen shillings and 6^d as paid for the Book in which the said account is entered: for which Book he never paid anything, either before or since. Wee do unanimously agree that the same is a willful fraud, and that he ought to be punished by being fined three pounds ten shillings for the same according to the statutes, this being his third offence and he is hereby ordered to charge himself with the said fine in his next accounts.

J. ALLEN, J^{no} HILARY, RICHARD HART, SAM^l HAWKES.

These matters might have led to further proceedings, but on the 8th May 1735, the Warden, William Allen, died, and was buried in the College chapel.

He was succeeded on the 26th May 1735 by Thomas Allen, of whose election no detailed report is preserved.

Shortly after the election of the new Warden a dispute appears to have arisen between him and the Master with respect to allowing dancing in the College.

One of the "Exeat Books" still preserved in the College contains the following entry:—

19 Sept^r 1735. There being a dispute between the Master and Warden about dancing in the College: it is agreed that it ought not to be suffered in the College: and that it is the master's duty to forbid it.

J. ALLEN
J HILARY
RICHARD HART
SAM^l HAWKES

This is signed by the Master, but not by the Warden, and by all the Fellows except Mr. Richard King, the preacher. The fact of the Warden's not signing this order seems to point to him as the person who encouraged dancing, though, as the Master is described in an inscription under his portrait in the College as "six feet High, Skilful as a Skaiter, a Jumper, "Athletic, and Humane," it would be more in accordance with the probabilities of the case had he been the dancer, and the Warden the objector.

On the 4th March 1735/6, the new Warden's first dividend audit, the

sum to the credit of the College was £838. 18s. 3½d., with arrears of £68. 5s., and a dividend of £800 was declared.

On this occasion the following letter from Elizabeth Burgess, a poor sister, was received :—

I do hereby surrender all my Rights, Title and Interest to the College of God's Gift Dulwich in the county of Surrey as one of the poor sisters thereof or otherwise.

Witness THOS DODD

The mark of X ELIZABETH BURGESS.

W^m SEAGOOD.

This resignation was probably withdrawn, as this poor sister's name is regularly repeated in the College Register year by year until 1741, when she is recorded as dying on the 5th May; and an entry on the same date of the burial of "Mary" Burgess evidently relates to her, a mistake being made in the Christian name.

On the 2nd April 1738, Mr. Richard King, the preacher, resigned. It is noticeable that his signature is not attached to any of the extracts which have been quoted from the Private Sittings books. He was married in the College chapel on the 20th June 1738 to Ann Smith, of Rotherhithe, being succeeded on the 28th April by George Thorpe.

The College had regularly kept up the half-yearly payments of £20 into the treasury for a repairing fund, as directed by Archbishop Wake's last Injunction. It was about this time resolved to rebuild the east wing of the College, and accordingly, on the 11th August 1738, the Warden acknowledged having "received out of the Treasury the 27 payments, "being £540 toward the expence of rebuilding the East Wing of the "College," leaving in the treasury £100, as directed by the Statutes. This £100, however, was also taken out "for the present occasion for Building," by order of the audit of the 4th September 1738, it being stipulated that it was "to be replaced next Audit day," which was accordingly done on the 5th March 1738/9, on which occasion also "the college, requiring £700 "more for the completion of their repairs," were empowered by the Court to borrow that sum, towards repayment of which £100 was ordered to be set apart at each subsequent audit.

Evidence of this borrowing still exists at the College in two cancelled bonds, the one dated 24th January 1738/9, for £200, borrowed of Elizabeth Wakeham, spinster, from moneys held in trust for Lady Pitsligo, who was the wife of Alexander, fourth Lord Forbes of Pitsligo, and the sister of the Master of the College; and the other dated 24th March 1738/9, for £600, borrowed of Samuel Vanderplant, of London, merchant.

The rebuilding was completed in July 1739, the cost being £3645. 1s. 9½d.

On the 11th October 1740, Thomas Allen, the Warden, resigned, and on the 3rd November Henry Allen was elected in his stead; but there is

again no record of the proceedings at the election, or of the previous occupation of the new Warden.

There is reason to believe that the resignation of Thomas Allen was not altogether voluntary, for though the expenditure on the repairs of the College was audited and passed, there appears to have been a deficiency in his accounts at the audit on the 4th March, when it is recorded that

It having been ordered by the general audit of this day to shew how the sum of £174. 10. 9½ allowed in the account became deficient it appears thus viz^t.

By deficiency in the late Warden's account . . .	£142	13	1½
By a note of Mosely proving bad	13	1	6
By one ditto of Foster	18	16	2
	<hr/>		
	£174	10	9½

which sum having been paid to me as Cash, is allow'd me back again, not having received any part of them.
HENRY ALLEN.

The dividend at this audit was only £100, though it had been £700 and upwards for several years past. A further building expenditure of £322. 12s. was also audited and passed.

On the 14th August 1741 it is recorded that "A debate arising at the " Private Sitting whether any Person of this Society shall have the liberty " to vote in any case that immediately concerns himself, it passed in the " negative nem. con : upon which Mr Tutty the Usher, standing for School- " master withdrew during the debate."

This election was in consequence of Mr. John Hilary, the schoolmaster, having been elected preacher in the place of Mr. George Thorpe, who had died on the 7th June 1741. Mr. Tutty was not successful, Mr. Thomas Gregory being elected.

At the audit on the 4th March 1741/2 there was due to the College £283. 1s. 7d., with arrears of £316. 15s. Although these accounts seem to have warranted a dividend, none was declared, this being the second occasion of such omission since their recommencement in 1714; the previous one having been in 1726/7. The sum of £180 was, however, paid towards the building; it was also ordered that the College be insured for £2000 in the Hand in Hand Fire Office.

There would seem to have been some disputes amongst the Society at this time, particularly as to whether the Master and Warden alone had the appointment of the servants, or whether the Fellows were entitled to a voice therein.

The following entry in the Private Sitzings books explains how matters were brought to a climax :—

January 21. 1742/3. By the authority of his Grace the Lord Archbishop Sheldon's

Injunctions: We do hire John Davis to be scullion of this College at y^e yearly wages of four pounds, provided that after one month's service he is allowed to be sufficiently capable to execute the said place.

J. ALLEN, H^y. ALLEN.

We whose names are underwritten do protest against the above said Agreement.

JN^o. HILARY, THOS GREGORY, W^m TUTTY, SAM^l TANF^d HAWKES.

We appeal to the Visitor

J. ALLEN, H^y. ALLEN.

Dr. John Potter, previously Bishop of Oxford, who on the 9th February 1736/7 had succeeded Archbishop Wake (died 24th January 1736/7), took this and other matters submitted to him into his immediate consideration, as is shown by the following extract from his register in Lambeth Palace Library:—

Lambeth Palace Wednesday the second day of March 1742/3.

The Master, Warden and fellows of Gods Gift College in Dulwich personally appearing this day (pursuant to notice given them) before the Most Reverend Father in God John by divine Providence Lord Archbishop of Canterbury, Primate of all England and Metropolitan Visitor of the said College having the Right Worshipfull the Dean of the Arches the Vicar General and Master of the ffaculties as assessors his Grace directed the several papers they had respectively presented to him to be publickly read and having maturely considered what they had offered in support of them.

First his Grace having considered that part relating to Archbishop Sheldon's Injunction whereby the Master and Warden are impowered to make the best and cheapest Agreement with the Servants mentioned in the said Injunction did declare it as his Opinion That the said Archbishop Sheldon did thereby intend That the master and warden should have the appointment of the said Servants.

Secondly. His Grace upon the joint Request of the said Master Warden and fellows was pleased to direct that over and above the allowance of Two hundred faggots to each of the Twelve poor people there should be added Two pence a day to each of their Pensions to be paid them as their other pensions are except in such years when there shall be a ffour hundred pounds dividend or more.

Thirdly. His Grace in Order to Answer the Intention of Archbishop Wake's thirteenth Injunction relating to the twelve poor Children to be taught by the Schoolmaster and Usher upon Account of the addition made by him to their respective Salaries did direct That in case there shall not be found twelve poor children within the Liberties of Dulwich so qualified as directed by the said Injunction, the same shall be supplied by poor children out of any of the adjacent parishes.

After which His Grace having ordered several of the statutes relating to the School to be read to the said Master, Warden and fellows and observing to them that for a great number of years no Scholars had been sent to the University from that school according to the directions of their statutes admonished the Master and Warden to take effectual care that the School Master and Usher should carefully perform their several Duties in Order that by a greater proficiency among the Scholars the Direction of the Statutes might for the future be complyd with.

All which I attest.

THO. PARRY Actuary assumed
Notary Publick.

At the audit on the 4th March 1742/3, the Master addressed the following letter to the Court, complaining of his not having received keep for his horse :—

Gentlemen,

4 March 1742/3.

The reason why I did not keep an horse or man at the Colledge Charge for 10 years & $\frac{1}{2}$ before the late Injunctions were made ; was, because the 4 ffellows, and the 12 old people, had no additions, and it would lessen their right Dividends ; & therefore I forgave £68. 5. 0 which I might have had, for my mans wages, & also £84. for 10 years & $\frac{1}{2}$ for keeping an horse to X^{mas}. 1724, which was the time when the Injunctions were made, in all £152. 05. 0. But since X^{mas}. 1724 the 4 ffell^s. have had 26^l p ann. additional salareys, & the W^m an horse ; which being taken out of the Common Stock has thereby lessened my Dividends, above 70^l ; and therefore I ought to have my allowance for the keeping of an horse ; as well as the ffellows have additional salareys ; or else I shall have above 70^l. less than my due ; & all are settled by the same Injunction and therefore I demand my allowance for keeping an horse ; and there is due to me, for 13 years, from Xmas 1724 to Xmas 1737 at 8^l p ann 104^l. which added to £152. 5. makes 256^l. 05. 0^d. all which I might have had ; if I would have accepted of it : but I never desir'd it ; and if I had been used with good manners, I should not have asked for any allowance since : but I think, I have no reason to give away my right, for being ill used ; and they have no reason to expect, that I should give up my allowance for an horse ; without money, hay, or good manners ; and therefore I now demand 40^l, by me paid for hay for one of my horses, for the 5 years last past ; due at Christmas last 1742 (being 4 loads pr ann: at £2 per load) & I desire no more than the s^d 40^l above mentioned, in full satisfaction for £256. 05. 00 which I could now demand if I would ; and I hope, Gentlemen, that you will think it a very reasonable demand, and order it to be paid (not with ill words) but with good money, and I desire to have my allowance settled for my horse keeping for the time to come ; to prevent any disputes for the future. This I referr to the Auditt, to be determined by them, as p. 94 Statute.

J. ALLEN.

In consequence of this letter it was ordered “that the Master be allow'd £40 in consideraçon of his keeping his horse for 5 years past, and that he be allowed 4 load of hay pr annum to keep his horse for the future.”

On the 18th May 1744, Mr. Tutty, the usher, having been fined unjustly, as he considered, for absence, wrote the following resignation in the “Exeat Book” :—

“I resign all my Right to my fellowship in Dulwich College, and do hereby permit the Master, Warden and Fellows of the said College to proceed to a fresh election and do heartily wish that they may elect such a Person who will advance the Happiness of the College by promoting the peace and unanimity thereof.”

“W. TUTTY.”

On the 28th June the College elected in consequence Mr. Thomas Waterhouse to succeed Mr. Tutty, and as will appear subsequently, it can hardly be said that peace and unanimity were thereby promoted.

On the 8th February 1744/5 Henry Allen, the Warden, died, being buried in the chapel, and on the 25th February Joseph Allen was elected in his place.

The record of the election is preserved, and states that besides nine or ten that withdrew there were six candidates, viz., John Allen, timber merchant, John Allen, founder, Thos. Allen, vintner, Robert Allen, "linnen merchant," Joseph Allen, surgeon, and Charles Alleyn.

The two selected to draw lots were Robert Allen and Joseph Allen, and "Robert drew first and twas the blank, so Joseph Allen was warden."

At the audit on the 4th September 1745 it was announced that the whole building account was paid off, and £100 was again placed in the treasury chest. On the 28th October 1746 James Allen, the Master, died, and was succeeded by the lately elected Warden, Joseph Allen.

James Allen had in his lifetime, viz. on the 31st August 1741, made over to the College six houses situated near Kensington Gravel Pits, and then producing £21. 6s. per annum, "to the intent that they and their successors should for ever apply the rents issues and profits of the premises (except £5 allotted to the Master for his trouble, and £1. 6. for a treat to the tenants) towards finding and providing a schoolmistress or mistresses to be resident in Dulwich for the instructing and teaching such and so many poor boys to read, and so many poor girls to read and sew, as to the master should seem meet, such boys and girls to be children of poor people, resiants and commorants in the town of Dulwich aforesaid, or within one mile thereof, such boys and girls to be taught and instructed, and the Schoolmistress to be respectively of such ages, and qualified in such manner, as to the said master should be thought fit, and to be nominated and appointed, placed and displaced at the will and pleasure of the said master, provided that the master for the time being should have the oversight and care and the letting and setting of the premises and collecting the rents, and also the inspection of the charity; and that he should make such rules and orders for the better regulation thereof as to him should seem meet."*

This school was restricted by Act of Parliament in 1857 to girls, and is now known as "James Allen's Girls' School," having (1888) 234 pupils, paying each a fee of six guineas per annum. The income of this school, exclusive of fees, was in the same year, £350 from the Kensington property and £500 from the general funds of the estate governors. The new school-house (opened 1887) cost £5600. The playground extends to about 2½ acres.

* Further particulars as to this school will be found in Chapter XIX.

CHAPTER X.

THE COLLEGE BETWEEN 1746 AND 1775.

JOSEPH ALLEN having become Master on the 28th October 1746, an election of Warden took place on the 17th November. The candidates were :—

James Allen, St. Paul's School; Thomas Allen, vintner; Alexander Allen, Wanstead School; August Allen, 3rd Troop of Horse; John Allen, a Founder (who was also a candidate at the last election); Benjamin Allen, hosier; James Allen, malt factor; Thomas Allen, peruke maker; and Thomas Allen, "linnen draper."

John Allen, the Founder, obtained nine, and James Allen, the malt factor, seven votes; and James Allen, as the elder, drawing first, drew God's Gift, and was elected.*

At the new Warden's first audit, on the 4th March 1746/7, the balance in favour of the College was £611. 16s. 9½d., with arrears of £205. 7s., and a dividend of £600 was declared.

Though the churchwardens had not thought fit to bring the matter of the thirty out-members before a court of law, they had not abandoned the claim, having presented a petition on the subject to Archbishop Potter, but he died on the 10th October 1747, while the question was pending.

On the accession of Dr. Herring, Archbishop of York, on the 27th October 1747, they presented a new petition, the material parts of which are as follows :—

That in the year 1664, the then Archbishop of Canterbury visitor of the said College at a visitation then held had (amongst other things) confirmed to the 30 poor people, outmembers or pensioners, their offices and privileges and ordered that they should have the Clothing and Weekly allowance of 6^d a week as by the founders statutes are Directed, upon which occasion his Grace then observed that the said Allowances had not for some time been paid but being fully satisfied that the same were works of Great Charity and publick benefitt; and that it was the founders intention they should be paid; His Grace ordered the said Allowances to be made and so to continue for ever after. Accordingly the said pensions and allowances have been duly made and paid untill the year 1726 or thereabouts, since which time they

* In Chapter XVI. will be found a record of the extremely heavy dinner provided on this occasion by the new Warden, in accordance with Statute 19.

have not received any pensions, Gowns, or any other allowances from the said College, notwithstanding the plain Intention of the ffounder and the Express order of the Visitor in the year 1664 and notwithstanding the Revenues of the College are greatly Increased and the Rents of the said Estate, which formerly were about £800 per ann. now amounting to £1100 p. ann. and upwards.

That your Pet^{rs} and their predecessors the late Churchwardens or some of them have applyed to the present Master, Warden and Fellows of the said College on behalf of the said 30 poor out members or pensioners, To have their pensions and Gowns paid and allowed them according to the provision of the said statutes. But they refused to comply with your Pet^{rs} request (notwithstanding the Oath they took at the time of their Admission faithfully to keep and observe the said statutes). The said Master pretending that the College had been advised that as the Founder had before the Date of the statutes conveyed all his Lands and premisses mentioned in the said Letters Patent to the Use of himself for Life and after his Death to the Use of the then Master, Warden, 4 fellows, 6 poor brethren, 6 poor sisters and 12 poor scholars of the said College and their successors he could not afterwards by his statutes, order or appropriate any part of the Rents or Revenues of the said premisses to the 30 poor people called out members nor add any other members to the Corporation: and the said Master also pretended that it had been decreed by the Court of Chancery the 4th April in the 1st year of his present Majesty's (George II.) reign that the said 30 poor people had no Right to the pensions and Gowns ordered them by the statutes.

That your Pet^{rs} upon having the said Decree Inspected are well advised that that Decree was only to establish the assistants Right, which the Master, Warden and Fellows then attempted to set aside and that the same in nowise related to the 30 poor People Out members or pensioners nor was their Right as your Pet^{rs} are informed at that time nor till some time after the said Decree Disputed or Questioned by the said College and your Pet^{rs} are advised that In case the Right of the said 30 poor people had been in question in that cause there is good reason to beleive that their right as well as the Right of the s^d assistants would have been established as they both claim under the statutes and Ordinances made by the said M^r Alleyn the ffounder.

Your Pet^{rs} therefore humbly pray your Grace to take the premisses into consideration and to order the master warden and ffellows of the said College to pay and allow to the 30 poor people out pensioners of the said College and their successors out pensioners for the time being their pensions and Gowns and other allowances according to the provision of the Statutes together with the arrears thereof, or to Grant them such other relief in the premisses as your Grace in your great wisdom shall think fitt.

And your Petitioners shall ever pray &c.

HENRY DOWNER	} Ch. Wardens of	JOHN BARATTY	} Ch. wardens of
W ^m LOVE		S ^t Botolph.	
		ROB ^t DURRANCE	} Churchwardens of
		JON ^a GRAVES	

(Lambeth MSS. vol. 1118, No. 27.)

To this petition the College replied at great length, reciting the letters patent of King James I., the deed of foundation, and many of the statutes,

and contending that the Founder was "not empowered by law" to make these thirty out-members pensioners. The reply further said

That the said Edward Alleyn died soon after making his said statutes to wit some time in November 1626 and the said statutes so far as related to the adding any new members being at that time thought illegal and contrary to the Letters Patent and Deeds of Foundation and Uses the six Jun^r Fellows mentioned in such statutes never were either in the lifetime of the Founder or afterwards named elected or admitted into the Corporation, nor were any of the thirty members mentioned in the said statutes admitted to receive any Pensions Benefit or Maintenance from the said College (except only ten from the Parish of S^t Giles Cripplegate, now S^t Luke, and they only for one year to wit 1627) until the year 1669 when his Grace Archbishop Sheldon having held a visitation of the said College was prevailed with to introduce them, not upon the Foot of Right but Charity as may appear by his Injunction dated 9th October 1667, whereby he declared that the same being a work of Great Charity, thirty Poor Persons being ten from each of the said three Parishes shall from and after Lady day 1669 have each of them Weekly 6^d to be paid them out of the Revenues of the said College according to the said Statutes.

Reference is then made to the Injunctions of Archbishop Wake, who, for preserving the Ballance intended by the Founder was content to allow and did allow the three upper Churchwardens of the said Parishes to act as Assistants and to have the usual Allowances out of the Revenue of the College, and state that the churchwardens thereupon preferred a bill in chancery against the College which was heard on the 5th April 1728 before the then Lord Chancellor King when his lordship was pleased to declare that Edward Alleyn the Founder could not by his Ordinances and statutes of the 29th of Sept^r 1626 add any Persons to the Corporation or make any new Person a Member of the Body corporate but that he could appoint Assistants to the Corporation.

The Corporation being thereby more firmly confirmed in their opinion that the Founder could not by the Statutes of 29th Sept^r 1626 add the said Thirty Persons as Members to his Corporation or that the said Thirty Persons had any legal right to any Distributions or Shares of the Revenues of the Lands and estate settled by the Deed of 24th April 1620, did desist from paying the same and on Information that the then Churchwardens of the said Parishes were concerting means to bring the Right of these Payments to a legal Determination they did by the Advice of Council apply to D^r Wake the then Archbishop of Canterbury for leave to defend their Rights notwithstanding the former Injunction of ArchBishop Sheldon, and Archbishop Wake was pleased by his letter dated 22^d January 1728/9 in compliance with such their request and in pursuance of Advice of Council with whom he had consulted thereupon, to signifie his Consent that whenever the Churchwardens of the said Parishes should bring this matter to a legal Tryal in Westminster Hall, the Master Warden and Fellows of the said College should be at Liberty notwithstanding the Injunction of Archbishop Sheldon to proceed with them in trying such Cause as freely and without any Restraint on that account as if no such Injunction had ever been made and in Order to that end did so far suspend the force of that Injunction.

The Churchwardens of the said Parishes have not as yet thought fit to bring this Matter to a legal Tryal at law which Archbishop Wake signified to the College by his

said Letter was the best direction for all Partys to follow to put an end to all disputes about that matter.

It is then pointed out that the Founder himself was sensible that the making the said Additional members was an Imposition on his College as he acknowledged in the appendix to his statutes having imposed a great charge on the said Corporation and gave them in addition to the property conveyed by the deed of uses two leases, the one of the Unicorn Inn in the Borough, and the other of certain tenements called the Bell, the Barge, and the Cock, but that these two leases never came to the Possession of, and never were enjoyed by the college.*

It is represented that although the revenues of the College are increased, the cost of "all necessarys of life" has increased in a greater proportion; and, finally, the Visitor's attention is called to the fact that the members of the College are bound by their oaths "not to alter or change the Foundation," which they apprehend the adding of thirty out-members does materially, and also

not in any sort to compromise or end any suit but by a Judicial and legal Trial, sentence or Judgement. And they pray that his Grace will be pleased to dismiss the Petition of the said Churchwardens and to refer the said Churchwardens to try the Right of the Payments they Petition for at Law and to leave the Master Warden and Fellows of the said College at liberty to defend their Rights in regard to such Demands in his Majesty's Courts of Law according to the Laws and statutes of this Realm whenever the Church Wardens shall think fit to bring any Suit concerning the same.

The Archbishop communicated this reply to the churchwardens, who wrote a rejoinder or replication, in which they argued at length against the views of the College on the illegality of the statutes granting the pensions. They also

humbly apprehend that notwithstanding what the College have alleged in their answer to the contrary, that there is good ground to conclude from the wording of Archbishop Sheldon's Injunction That all the 30 out pensioners had been paid their pensions and allowances for some considerable time after the Founder's Death. For had only Ten of them been paid and that for one year only (as alleged in their answer), It is highly probable That the Archbishop would have taken notice thereof in his Injunction, which he has not done. But sets forth that whereas the allowances of Money and Gowns to the 30 outmembers had not for many years been paid (which Implies they had been paid). And they say as to the letter of Archbishop Wake that they (the College) now pretend that the College obtained in the year 1728, a letter from Archbishop Wake, the then Visitor to suspend that Injunction of Archbishop Sheldon in regard to the payment of the s^d 30 pensioners which (as these Repliants are credibly informed) He but a short time before had ratified and confirmed; and these Repliants say they never heard of such Letter till some time after the exhibiting their petition or that the same was ever before assigned as a Reason or Excuse for the not paying the said pensions.

* These leases were sold by Edward Alleyn's executors, his other property not being sufficient to meet the legacies bequeathed in his will. See Chancery Suit, *Worrall v. Alleyn*, 1630, p. 106.

They argue that the bequest of the leases of the Unicorn, Bell, Barge, and Cock was not made because of the extra charge imposed upon the College, but in fear of a possible diminution of the revenue derivable from the estates, and as the College revenues

have not decreased but Increased more than a third part in value to what they were at the time of the founders decease, These Repliants humbly apprehend that the pensions and allowances appointed by the statutes to the 30 out pensioners cannot be deemed an Illegal Imposition, but a Legal and Equitable Charge upon the Estates conveyed to the Corporation notwithstanding they may not have possessed the Leasehold premises designed them by the said appendix.

They further argue that the Injunctions of Archbishop Sheldon were "not the act of y^e Visitor but the act and will of the founder as may appear by his statutes," and that these "cannot be thought unjust especially by those to whom the charity is extended: If not unjust, then not examinable by the Courts of Law." They end by saying, "and these Repliants having a full Relyance on your Graces wisdom and Justice and Desirous to avoid the expence and tedious Litigation of a law suit which the Master Warden and fellows seem fond of, These Repliants therefore most humbly pray your Grace that their petition may not be Dismissed but that your Grace will be pleased to hear the same by Council at such time and place as your Grace shall think fitt and thereon to give such Relief as to your Grace shall seem meet."

The Archbishop seems to have consulted Dr. Francis Topham in a somewhat informal manner, and the following two letters addressed to him show that Dr. Topham's opinion was in favour of the churchwardens' contention:—

(Lambeth MSS. vol. 1118, No. 29).

Bath March the 14th 1747.

My good Lord,

Since I did myself the pleasure to write last to your Grace, I have looked over the papers you put into my hands in Relation to God's Gift College in Dulwich & the petition of the Assistants and tho' in order to have form'd a proper Judgement of this affair It would have been necessary to have perus'd the letters patent, & the Two deeds of M^r Alleyn made in the 17th & 18th years of King James the first, yet I must content myself with giving your Grace my sentiments on the Papers now before me.

M^r Alleyne could not certainly grant or devise in Mortmain without the King's Licence or Letters Patent & therefore in his deeds or Conveyances The Powers granted by these letters Patent must be pursued, which were to found a College & to erect a Corporation to consist of one Master, one warden, 4 Fellows, 6 poor brethren & 6 poor sisters. On this account M^r. Alleyne's intended addition of 6 Jun^r Fellows or Chaunters which were to have been made a Part of this Corporation could not take effect, neither the Letters Patent nor M^r Alleyne's deed to declare the uses of those Estates granted to the College giving him any such power and undoubtedly had the 30 poor Brethren, now Petitioners to your Grace as Visitor, been added in this manner to the College, They could not have been receiv'd: But M^r Alleyne by his Statutes

seems to intend this set of people as a Nursery out of which to supply and fill up such vacancies as should happen in 9 out of 12 of the six poor Brethren & six poor Sisters & as this falls in & is consistent with the Original Foundation & with the powers given him to make Statutes & ordinances for the better Governing & maintaining his College, I must confess I should apprehend this appointment of the 30 Poor people to be good. My Lord Chancellor seems to have considered the Creation of the Six Assistants in the same light & the same Reasons that may be urged on behalf of one, appear to have equal weight in favour of the other.

Your Grace's much obliged most faithful and

most affect: Hum: Serv^t.

FRA. TOPHAM.

In the second letter, dated "Bath, March y^e 19th 1747," after discussing the powers of the Founder under the letters patent at considerable length, he adds:—

In a word: By the Foundation deed, in pursuance of the Powers given by the letters Patent, I apprehend the *number* of persons to compose this Society or Corporation was absolutely fixed; and was Incapable of being altered by any subsequent statutes the Founder might make. But as to the *Order, Government* and *Election* of this Society, I still continue to think the Founder had a sufficient power & authority to settle & fix these by his Statutes which the Letters Patent declare to be good & effectual to these Purposes. The Founder has accordingly by his statutes appointed six assistants to inspect the proceedings of this Society, to vote on certain occasions & to auditt accompts which appointment my Lord Chancellor has held good, & there appears to me the same Reason for supporting the Founders appointment of the 30 Poor people selected & set apart for the filling the vacancies in the College.

I am aware that the Master & Fellows may urge that it is hard that the Founder should be allow'd to introduce Two sets of People, as They will call them by his statutes & That the six churchwardens should have in some instances the Controuling votes when it is manifest He only intended they should be in the proportion of one to three. But as I before observed This arises from the Circumstance of the Founder's being incapable by his statutes to add to the number of the Fellows composing whereas he was entirely at liberty to order by these statutes, How this Society should be governed & elected, & might have vested the sole power in the churchwardens, without allowing the Master, Warden, or Fellows any right of voting either *Jointly or separately*. There may indeed arise some little difficulty how far the Founder was at liberty to declare by his statutes any new use of the Revenue as this allowance of 6^d per week to the 30 poor people may be call'd, But my Lord Chancellor who had the Perusal of the Deed has not any way objected to the Allowance made for Horse hire expences to six assistants & really In an equitable view & construction I think this allowance may be said to correspond with the original declaration of Uses: But however This objection regards solely the Allowance. Be this as it will the letters Patent unquestionably give M^r Alleyne Full Power to make rules & statutes for the order & Government of this Society & your Grace as Visitor is to form your judgment & decisions upon these Rules & Statutes & M^r Alleyne had as good a Right to direct that Nine poor Brethren & Sisters should as Vacancies happened, be Taken from these 30 poor people as he had to order that on the death of the Master the Warden should succeed him or That the Two Senior Fellows must be Masters of Arts in One of the Universities.

Your Grace will I am sure observe that I have made use of the Lawyer's privilege in regard to Tautology, having said again & again the same thing in different words, But I was in some measure betrayed into this by a desire of speaking intelligibly to your Grace, for it is too often our misfortune to use many words without conveying much Instruction, which must plead the excuse of

Your Graces

most obliged, most faithful

& most affect. humble Serv^t.

FRA: TOPHAM.

The churchwardens also obtained an opinion strongly in their favour from Mr. Robert Bicknell, who advised as follows :—

(Lambeth MSS. vol. 1118)

The case stated as in the Petition

Q: Therefore (supposing that Edward Alleyn the ffounder could not by his statutes and ordinances add any persons to the Corporation or make any new person a member of the said body corporate) whether the s^d Edward Alleyn could or could not by the said statutes Order and appropriate to the 30 poor people as pensioners of the said College such pensions and allowances as are thereby Ordained notwithstanding the Defect or Want of such proviso or power to alter or Revoke the uses in the deed of settlement of the 24th of April 18 James the 1st and whether the College in their corporate capacity will not be considered in a Court of Equity as Trustees for the benefit of the 30 poor people as to the pensions and allowances ordered them by the said Statutes.

And whether the Visitor may not Lawfully order the same to be paid to them without the Decree of a Court of Equity.

A: As both the Lres Patent of King James the 1st and the Deed poll of the 13th of Sept^r 1620 appoint the College or Corporation to consist of a Master, a Warden, 4 Fellows 6 poor Brethren, 6 poor Sisters & 12 poor Scholars; I apprehend that M^r Alleyn the Founder could not afterwards make an addition of other members to this Corporation or to be part thereof, But I think that notwithstanding by the statutes viz^t the 10th, 11th & 42^d Statutes the 30 poor persons whom by the 10th Statute he appointed to be chosen by the Churchwardens of the parishes of Bishopgate S^t Saviours & Cripplegate to be members of the said College are called members of the College yet they are not to be considered as properly present members thereof but only as a number set apart out of which the poor Brethren and sisters of the College are to be supplied and filled up as vacancies shall happen and I am of opinion that M^r Alleyn the ffounder might by his statutes order pensions to these 30 poor people for the time being out of the profits of his Lands which he settled upon the College notwithstanding that by his Deed of the Twenty fourth of April 18th Jas. 1st he Declared the ffine, which he Levied of his Lands, To be to the Use of the then Master Warden 4 ffellows 6 poor Brethren, 6 poor sisters & 12 poor Scholars of the said College & their successors: for It is certain that notwithstanding the Uses thus declared M^r Alleyn the ffounder had still a power of appointing how the profits should be Distributed or else each of the 6 poor Brethren and six poor sisters and each of the 12 poor scholars would have a Right to an equal share of the profits with the Master or Warden, for by that Deed of the 24th April 18th James 1st the Estate is Limited to the Use of all of them and there is no greater share of Rents & profits appointed to one than the

other of them and therefore it plainly seems to mee that that Deed was only to Vest the Legal Estate in the Land and that the Trusts thereof were left to be Declared afterwards which the ffounder has done by the Statutes. And therefore I think that the 30 poor people or outpensioners are by the statutes well Intituled to their Gowns and Pensions according to the provision in the Statutes and that the College are to be considered as Trustees for them in this Respect and I think that the Visitor has a Lawfull power to Order the payment of their pensions and Gowns without a Decree of a Court of Equity

JOSEPH BURR attorney in
Woodgate Street Bpsgate
(attorney for the churchwardens).

ROBT. BICKNELL
3^d April 1747
(Endorsed should be 1748).

Notwithstanding these opinions, Archbishop Herring resolved that he would not interfere, but would leave the matter to be decided by law; and the following is the draft of a letter which was no doubt duly sent to the churchwardens' solicitor:—

M^r Burr

I am commanded by my L^d ArchB^p to acquaint you, that he has very maturely considered the Petition of y^e Churchwardens of y^e several Parishes relating to y^e conduct of Dulwich College concerning the pensions of the 30 poor members & not trusting to his own understanding & Judgment has call'd in y^e aid of much more able men: The result of w^{ch} consideration and enquiry has been that His Grace is determined not to take cognizance of the Dispute between the Churchwardens and y^e College as Visitor, but leaves y^e matter (if it must be contested) to be prosecuted & adjudged in course of Law. His Grace has sent a copy of this his resolution, now Signified to you to the Governors of the College.

I am &c.

Endorsed. Draught in AB^p Herrings handwriting of notice to be given, that he will not interfere in the matter of the 30 out pensioners.

The Archbishop evidently did not come to this conclusion on the opinions above cited, which were to a contrary effect; but it appears from the audit book that he also consulted Dr. Bettesworth, the following entry being made under date April 19, 1748:—"Whereas D^r Bettesworth "has desired to see our Letter's patent Deed of Uses and statutes that He "may form a judgment concerning the Petition which th^e assistants have "laid before his Grace of Canterbury in favour of 30 Out members, which "they desire may receive Pensions from our College, We agree that the "Letters Patent, Deed of Uses and Statutes may be left with D^r Bettesworth, He giving a receipt for the same."

Again, on the 22nd April 1748, the following entry occurs:—

Whereas His Grace of Canterbury has sent us a copy of a Petition which he received from the six assistants praying his Grace to order Pensions and Gowns to be allowed to thirty outmembers according to our Statutes and the Injunction of Arch-

bishop Sheldon, as that Injunction has been suspended by Archbishop Wake, and those statutes relative to the Thirty Outmembers repugnant to the Letters patent and Deed of Uses, We think it necessary to give an answer to the Petition and agree to employ a Proctor and retain Council upon the occasion that we may be capable to take lawful measures in our defence.

Mr. Stevens seems to have been the proctor employed by the College.

While this dispute was in progress, it had been ordered on the 4th September 1747 that William Swanne* of St. Luke's be sent to Christ Church, Oxford, at the age of eighteen, and allowed £20 per annum for his maintenance; and on the 4th March 1747/8 that Edward Bayly,† also of St. Luke's, be sent to Trinity College, Oxford, at the age of eighteen years, with the same allowance.

In 1749, Joseph Allen, the Master of the College, presented a petition to the Archbishop complaining of the usher, Mr. Thomas Waterhouse, who had been elected on the 28th June 1744. He recited the 30th, 56th, 93rd, 95th, 43rd, 44th, 73rd, 76th, 89th, 26th statutes in succession, and proceeded :

That M^r Waterhouse has been very negligent in his Duty in his office of Usher and very irregular on many other occasions and the master of the College on such occasions admonishing him to amend his Behaviour he hath rudely and repugnant to the aforesaid statutes disobeyed and withstood the lawful Commands of the Master, and has often abused him.

And more particularly on Thursday the sixteenth of March last, notwithstanding the schoolmaster was absent with leave M^r Waterhouse neglected his duty and absented himself from the school the whole Day, and on his return in the Evening had particular allowance of Diet by himself contrary to the statute, and on the next day being Friday the seventeenth of March the Master admonished M^r Waterhouse for neglect of Duty and likewise for having particular allowance of Diet by himself to which M^r Waterhouse returned the most insolent Language and Behaviour.

In the evening of the said seventeenth of March at their private sitting an Order was made signed by the Master, Warden and Preacher commanding M^r Waterhouse the Usher to be obedient to and strictly to comply with the statutes relating to the school.

In contempt of the said Order and statutes the said M^r Waterhouse on Monday the seventeenth instant (July) neglected his duty by absenting himself from the school.

At the Private sittings on Friday last, the master observed to the said M^r Waterhouse his neglect of Duty in absenting himself from the school, and his contempt of the Statutes and Disobedience of the aforesaid Order of the seventeenth of March last and fined him for the same six shillings and eight pence according to the fifty-sixth statute. Whereupon M^r Waterhouse abused the said Master in a most virulent manner calling him vile, despicable Fellow, telling him he looked like the Devil, that he was perjured and said many other reproachful speeches, grinning in the Master's

* William Swanne of Christ Church, Oxford, proceeded B.A. 11th October 1751, and M.A. 8th July 1757.

† Edward Bayly does not appear to have proceeded to any degree.

face, and using the most provoking Gestures, tho' at the same time the said Master spoke to him in the most mild and gentle manner, only telling him his Behaviour was inconsistent with that Duty and respect which was due to a Master of that College and commanding him to behave with Reverence agreeable to the thirtieth statute.

As such the Behaviour of the said M^r Waterhouse is not only repugnant to the express Words and Meaning of the Statutes of the said College and greatly irreverent to the Master thereof but also contrary to all Rules of Decency and good manners, and tends to the Total Subversion of the Good order and Government of the said College.

Your petitioner, the Master of the said College therefore most humbly prays that your Grace will be pleased to interpose your Authority, examine into the truth of the Premises and do therein as to your Grace's wisdom shall seem meet and necessary for the Prosperity and Welfare of the said College, and for the more effectual support and well government thereof.

JOSEPH ALLEN.

July 27. 1749.

The Archbishop communicated this petition to Mr. Waterhouse, who replied at great length in a document preserved in the Lambeth Palace Library (MSS. vol. 1118, No. 34).

He begins by expressing surprise at the receipt of the complaint,

as he Had no kind of notice of it before; and more particularly when (on perusing it) He found it contained Facts that were greatly misrepresented: that his Behaviour was stigmatiz'd by the most reproachfull Terms: and that Truth had suffer'd an equal violation with his character.

As to the charge of absence on the 16th March, he explains that it had long been customary and found convenient that the one day's absence in each week, allowed to the schoolmaster and usher by the statutes, should be reckoned from the noon of one day to the noon of the next, and that, acting upon this custom, he had by arrangement with the schoolmaster (who had an exeat for the 16th) taken his day from the 15th at noon, and returned for afternoon school on the 16th. By an unfortunate accident he was delayed for an hour after the commencement of school; but "bating" this small delinquency, the duties had been duly performed by the schoolmaster in the morning, and by himself in the afternoon; and as to the "private diet," it consisted merely in the fact that having "missed his" dinner at the College hour he took a short refreshment of what was left "cold."

He further explains, that the next day, at dinner, the Master began to reprimand him for his neglect of duty, when he claimed that he could not be censured, except at a Private Sittings, after a charge had been made, and he had been found guilty by a majority of the Society. The Master, however, asserted that he himself had a right to censure, fine, and expel, independent of the Society, and that thereupon Mr. Waterhouse "only took notice that" he (the Master) mistook the extent of his power, and immediately left the "room to avoid any further insult."

At the Private Sittings the same night the Master brought an order "ready drawn up and inserted in the book," to the effect that the usher should attend the school regularly, and be obedient to the statute, whereupon Mr. Waterhouse objected that the entry was irregular, no definite charge having been made or adjudicated upon. But, nevertheless, the Master insisted that it should be signed; and though the preacher was at first disinclined to do so, he signed it at Mr. Waterhouse's request, "that he would gratify the Master as the whole was quite beside the question."

As to the alleged neglect of the school on the 17th July, Mr. Waterhouse replies that, after due performance of his duties in the morning, "he had engaged himself with a family in the neighbourhood to go to a place of Publick Breakfasting about a mile distant from the College," and that "a most rapid rain which lasted with the greatest violence till about two o'clock" prevented his return to the College till after the Master had been in the school, and not seeing him there at his proper time had declared he would fine him.

At the Private Sittings the next Friday, the Master, the Warden, and Mr. Waterhouse being alone present, the Master produced an order ready drawn up, "which set forth the crime of the usher with a number of unmerited aggravations by way of Preamble, and concluded with ordering the warden to stop 6^s & 8^d out of his next quarterly pension." On this Mr. Waterhouse raised the whole question of the Master's power to fine without the concurrence of a majority of the Society, and finally, as he admits, "with a little too much haste," told the Master he was a "despicable man."

He then complains of the aggressive and arbitrary conduct of the Master, and calls upon the Archbishop to inquire of independent witnesses as to his character, and the care and assiduity with which he has fulfilled the duties of his office.

In his replication to the above reply (Lambeth MSS. vol. 1118, No. 35) the Master assures the Archbishop that he acquainted Mr. Waterhouse "at the very time of his misbehaviour that the matter would be reported to the visitor;" denies the custom of "commuting the duties of one Time with another," and points out that he is "obliged by his office to object to such a custom, and also to any of the fellows having 'particular diet.'" He accuses Mr. Waterhouse of inventing the above custom for his own purposes, and of frequently taking his diet in his chamber; and goes on to argue that the Master alone has the power to fine, and that he acted strictly in conformity with the 30th and 56th statutes.

Thereupon Mr. Waterhouse obtained from Mr. Hilary, the preacher, who had been a Fellow for thirty-seven years, and from Mr. Samuel Tanfield Hawkes, who had been organist for seventeen years, a certificate

“ that the custom of commuting the Discharge of the College Business of
 “ one morning for the omission of it on the ensuing, when the absenting
 “ Party has leave for a Day, has constantly and immemorially obtain’d, as
 “ no bad consequences have ever flow’d or (as it is apprehended) can flow
 “ from such a Practice.” (Lambeth MSS. vol. 1118, No. 38.) Moreover,
 a document endorsed “ Representation agst the illegal exercise of power by
 “ the Master of Dulwich College,” which is not signed, but which appears
 by internal evidence to have emanated from the whole of the Fellows, was
 presented to the Archbishop, in which complaint is made that “ Notwith-
 “ standing the Fullness and Perspicuity of these statutes (the 93rd and the
 “ 95th) the Master challenges an uncontrollable and independent Power to
 “ judge of and determine upon the Behaviour and actions of every member of
 “ the College,” and “ the other members of the Society” have for a long time
 found “ that y^e Tyranny and Opression resulting from his pretensions is
 “ really insupportable. Their ease has been greatly disturb’d by angry and
 “ haughty admonitions and corrections; their natural and constitutional
 “ Rights and Liberties taken from them by unnecessary and arbitrary
 “ Restraints; and they are continually in Danger of being disseized of their
 “ Freehold by the same lawless Procedure unless these greivances are
 “ redress’d by superior authority, and their constitution restored to its
 “ original Form.”

“ As things stand at present,” the document asserts, “ the members of
 “ the College have no steady Rule to govern themselves by; but are
 “ entirely subject to the Will and Discretion of the Master, whose Inter-
 “ pretations of y^e Statutes (they have reason to think) have been sometimes
 “ erroneous, and at other times contrary to the letter and Tenor of the
 “ statutes. By this means they have often been at a loss to know how to
 “ act; have lived in perpetual Terrors and apprehensions of his Threats and
 “ censures (which are generally deliver’d in the roughest Terms) and have
 “ hitherto submitted to Mulets and other Punishments which they deem to
 “ be irregular and oppressive.”

Mr. Waterhouse further presented a paper endorsed by the Archbishop,
 “ Instances of undue exercise of power by the Master of Dulwich College,
 “ particularly over the Usher.” (Lambeth MSS. vol. 1118, No. 37.)

In this he sets forth that “ on Monday October y^e 12th, 1747, he took
 “ his Weekly absence, but as the Business He went upon might detain him
 “ longer,” desired the schoolmaster to take him out an exeat for one day,
 “ in case he did not return at a proper time for doing y^e Business of his
 “ office.” The schoolmaster accordingly did so, the exeat being signed by
 himself, the preacher, and the organist; but upon Mr. Waterhouse’s return
 the Master ignored the exeat, alleging that it ought not to have been issued
 during absence, and although the very preceding exeat had been signed

by himself under precisely similar circumstances, proceeded to fine him the sum of five shillings.

Again, on one Sunday morning, Mr. Waterhouse went into the parlour, where the Master was sitting, to put on his surplice just before prayers, and taking off his hat at his entrance, put it on again while he put on the surplice. Thereupon the Master "immediately step'd up to him with great Haste and looks of Resentment, and told him that as long as he was in his presence he should keep his hat off, and if he did not, He would fine him and expel him." In the afternoon Mr. Waterhouse sent one of the schoolboys for his surplice, but the Master "immediately followed the boy with y^e surplice and before the Warden, Fellows, Boys, Servants, and Part of the Congregation said with a menacing look and tone of voice, that he insisted upon the Usher's pulling off his Hat, bid the Preacher and others take notice of what he commanded and told the Usher that it should be at his Peril if he persevered in keeping it on." "For this," adds Mr. Waterhouse, he "had nothing to plead, not even from Custom. In the preceding master's time (who really was a gentleman by birth and Education) every one of the Fellows conversed wth ease and familiarity wth Him without ever observing y^e ceremony above insisted upon; or his ever thinking it a proper Peice of Respect, to be claimed by one in his office. The present Master had accidentally heard that this was a customary peice of respect from y^e fellows of Oxford or Cambridge to y^e Head of their respective colleges and from thence conceiv'd he had a right to demand the same."

Again, on a Sunday afternoon, after chapel, Mr. Waterhouse gave leave to one of the boys to go out of the College to see his parents, and on his return the Master reprimanded him severely for having been absent without leave, and beat him for the same; and on the next morning came into the parlour where the usher was breakfasting, and "wth looks of vehement Resentment asked him how he dared to give any of the Boys leave to be absent. The Usher pleaded custom and y^e propriety of having it in his power to encourage merit by such little Indulgencies." But the Master replied "that he was an impudent and an insolent Fellow with many other expressions of Indignity and contempt."

On another occasion Mr. Waterhouse brought a gentleman, the son of Sir William Billen, into the College garden to angle in the pond, whom the Master told that if he fished there he would break his rod for him.

Again, one day the usher, "having observed a total abstinence from Flesh meat for some time, on account of a violent Inflammation and weakness in his eyes," came to dinner, and "finding that there were neither vegetables nor pudding there, bid the Butler bring him in a little milk. The master immediately observed that what was before him was the

“ College provision and that if he had anything else, it must be at his own
 “ expence: that if he had what he ask’d for it would be having separate
 “ Diet by himself contrary to the 89th Statute, and that he would not
 “ admit it.”

No record remains of the Archbishop’s decision in this matter. But Mr. Waterhouse remained in his office of usher until the 25th June 1751, when he resigned.*

For several succeeding years there is but little to record from the College annals. On the 4th September 1750, it was ordered “that there
 “ shall be a clause in every lease to prohibit the Feeding of an ass upon the
 “ Common.” And on the 4th March 1751/2, it was ordered “that £20 per
 “ annum be laid by toward a new Organ.”

On the 24th June 1752, James Allen, the Warden, died; and at the consequent election of a new Warden, which took place on the 13th July, the candidates were James Allen, schoolmaster, who was a candidate at the last election; John Allen, founder, a candidate at the two last elections, and who was selected to draw lots on the last occasion; Thomas Allen, linen draper, also a candidate at the last election; Thomas Allen, peruke maker, likewise a candidate then; John Allen, a surgeon; Thomas Allen, vintner, a candidate at the last election; Peter Allen, vintner; John Allen, cooper; and John Allen, staymaker.

John Allen, the founder, and Thomas Allen, the linen draper, received nine votes each; and the former, being eldest, drew first, and drawing the blank lot, Thomas Allen was elected and proclaimed Warden.

The dinner, which was of the usual heavy character, cost £13. 19s. 9d.

On the 21st April 1752, Mr. William Swanne, of Christ Church College, Oxford, who had been a poor scholar, and had been sent to Oxford in 1747, claimed his right under Statute 62, and was admitted schoolmaster in the place of Thomas Gregory resigned, without drawing lots.

In 1752, by Act of Parliament, the year which had previously commenced on the 25th March began on the 1st January, and twelve days were omitted, the day succeeding the 2nd of September being reckoned the 14th. There was consequently no 4th of September, and the audit, which should have been held on that day, was held on the 15th September.

On the 4th September 1753, it was ordered that the Founder’s arms, †

* The following is quoted from Mr. Warner’s Catalogue of Dulwich MSS. Int. p. viii. :—
 “ William Oldys, who wrote the life of Edward Alleyn in the *Biographia Britannica*, published in
 “ 1747, drew from the Dulwich MSS. the greater part of his materials. His information was not
 “ obtained directly from the originals, but from a letter addressed to him in 1745 by a ‘learned and
 “ ‘ingenious member.’ To this letter he constantly refers, and its writer, the Rev. Thomas Waterhouse,
 “ who had been appointed usher as recently as 1744, deserves the credit of being the first Fellow on
 “ the Dulwich foundation who showed an appreciative interest in its manuscript treasures.”

† These have always been used as the College arms.

cast in lead, be placed on the houses belonging to the College in Playhouse Yard. On the 4th March 1758, it was ordered that the £100 and other moneys for the new organ in the treasury chest be invested in India Bonds. On the 17th March in the same year, a pair of stocks was made for the use of the poor brethren and sisters.

At a Private Sittings on the 3rd August 1759, it was resolved "that a new organ shall be built and put up in the chapel of the College. Therefore in pursuance of that Resolution we have agreed this day with M^r George England and M^r Thos. Whyatt to build a new organ and put it up in the Chapel on or before the last Sunday in August which shall be in the year 1760, for the sum of £260, and the old Organ, agreeable to their proposal delivered in and agreed to by us this day."

The old organ "is said to have been built by 'Father Smith' i.e. Bernard Smith who died in 1707."

On the 10th August 1759, it was ordered that a man named Richard Branson should be indicted at the next general sessions for an attempt to corrupt the morals of one of the poor scholars. And on the 30th May 1760, and again on the 4th December 1761, Dorothy Miller, a poor sister, was ordered to be set in the stocks in the outer court of the College, in punishment for drunkenness.

Archbishop Herring died on the 13th March 1757, and was succeeded on the 29th March by Dr. Matthew Hutton, Archbishop of York, who, however, lived only one year after his translation, dying on the 19th March, 1758, Dr. Thomas Secker, Bishop of Oxford, becoming Archbishop on the 28th March 1758.

Complaints seem to have been made to him as to the management of the College, and especially that no poor scholars were sent to the Universities.

He appears to have instructed Dr. Hall to make inquiries, and the following report from him is copied from the MSS. in Lambeth Palace (vol. 1118, No. 39):—

REPORT FROM DULWICH COLLEGE BY D^R HALL, MAY 27, 1760.

The Master of Dulwich College says, that their estates are let by Lease, usually for twenty one years, according to the improved value, and without Fine: that there is only one exception to this, w^{ch} is at Dulwich where to preserve the manor they have three copyhold estates upon Lives.

It appears by their Rental w^{ch} I saw that the sum total of their Rents in the year 1759 amounted to

Contingencies arising from Wood &c

£1273 5 0

In the former of these articles are included their Rents in the City of London amounting to

£146 10 0

No allowance has been made to Outpensioners for many years; in consequence, as he inform'd me, of a Decree in Chancery, given in favour of the College and declaring, that the Founder was not impower'd to make such an appointment, it being a departure from his original institution.

It is twelve years since any Boy was sent from that school to the University, at w^{ch} time two were sent, of whom M^r Swanne the present Schoolmaster was one. They were allowed £20 per Añ. during their stay there. The names of the present Master Warden and Fellows of Dulwich College

D^r Joseph Allen Master
 M^r Thomas Allen Warden
 Rev. John Hilary A.M. Preacher
 Rev. William Swanne A.M. Schoolmaster
 Rev. George Baker A.M. Reader
 M^r Sam^l. Tanfield Hawkes Organist

After the expences of Housekeeping &c are defrayed a Dividend is made among these and the other members according to proportions settled by statute.

The parti^r sums in the year above mentioned stood thus

Master	.	.	.	.	£66	13	4		
Warden	.	.	.	.	50	0	0		
1 st Fellow	.	.	.	.	20	0	0		
2 ^d Fellow	.	.	.	.	20	0	0		
3 ^d Fellow	.	.	.	.	16	13	4		
4 th Fellow	.	.	.	.	16	13	4		
Old People 12	.	.	.	.	182	10	0	each 15	4 2
Assistants	.	.	.	.	5	0	0		

The Remainder after this, is laid by for the following year. The proportion directed by statute for the general Dividend and for the Remainder is

Dividend	.	.	226½
Remainder	.	.	373½

600 being the total number of parts.

The Master, Fellows &c beside their share in this Dividend have each an old quarterly salary w^{ch} is enter'd under the general charges of the College but was not specified in Particular.

The Master however is ready to lay all their Books before your Grace for your inspection, and to answer any further enquiries you shall be pleased to make.

Upon this the following correspondence passed between the Archbishop, the Master, and Mr. Swanne, the schoolmaster :—

(Lambeth MSS. vol. 1118, Nos. 41–44.)

DRAFT OF LETTER FROM THE ARCHBISHOP TO THE MASTER OF DULWICH COLLEGE.

Lambeth, July 28, 1760.

Sir

The 80th and 81st statutes of Dulwich College ordain that there shall be always four of the poor Scholars of the said College maintained in the University and that the

College shall allow to each of them so much as the Master, Warden & Fellows and assistants, or the most part of them shall think sufficient for their maintenance, to be paid to or for them quarterly during eight years. I desire to know by an answer in writing whether these statutes have been constantly observed in this respect during the Time that you have been Master: and if not, how many scholars have been maintained by the College in the University in the course of that time, and what hath been allowed to each, and for how many and what years: and why the directions of the statutes have not been more punctually followed: and whether any and what Methods have been taken or are now taking for a more due obedience to them hereafter. This private Inquiry is made in hopes of avoiding a formal visitation.

Your sincere Friend.

To the Master of Dulwich College.

The Master's reply was as follows:—

Dulwich 30 July 1760.

May it please your Grace.

In obedience to your Grace's letter of the 28th instant, I humbly beg leave to observe that the 80th and 81st statutes of God's Guift College have not been constantly complied with since I have had the Honour of being Master of the said College nor can I learn that they ever were or ever could be strictly complied with since the foundation of it. In the year 1718, James Bennet one of the poor scholars was sent to the university in Cambridge and was allowed £20 a year during his continuance there, but I can't inform myself that any other of the poor scholars was found capable of being sent to either of the Universities until the year 1747, January 21st, when William Swanne was sent to Christ Church College in Oxford, and was allowed by the Master Warden Fellows and assistants £20 a year to the 21st of April 1752, and the year following Edward Bailly was sent to Trinity College with the same allowance where he continued about Two years; so that there hath been but two poor scholars of God's Guift College sent to the University since I have been Master and the Reason (may it please your Grace) why the said Statutes have not been more punctually followed in my time is owing to the Incapacity or want of Genius in the poor Scholars, who at the age of 14 have been judged incapable of being qualified for the University by Your Grace's Predecessors Chaplains; and therefore under such circumstances agreeable to Injunction of D^r Wake have been taught vulgar Arithmetick, and to write a good Hand, and at a competent age have been put out to some Trade suitable to such an Education. I have often recommended to the former Schoolmaster as well as to the present a proper observance of these Statutes; and they have assured me that they have always paid a strict regard to them by using their utmost endeavours towards the education and Instruction of the poor Scholars, but without that success, which should literally fulfill the said statutes. I am, May it please your Grace,

Your Graces most obedient & most humble Serv^t.

JOSEPH ALLEN.

DRAFT OF LETTER FROM THE ARCHBISHOP OF CANTERBURY TO THE REV^d WILLIAM SWANNE, SCHOOLMASTER.

Lambeth, Aug 1. 1760.

Sir

Having understood from the Master of Dulwich College that for several years past no Boy hath been maintained in either University at the expence of the College

though the statutes direct that four shall be so maintained constantly. I desire to know how long you have been Schoolmaster; whether you have had no boys under your care that could be fitted for the University; whether any actually have been fitted: and if not whence this hath arisen.

Your loving Brother.

To the Rev^d M^r Swanne Schoolmaster of Dulwich College.

Mr. Swanne replied as follows :—

Dulwich College, August 4. 1760.

May it please your Grace.

In conformity with your Grace's letter of the first instant relative to the several Questions therein proposed, I have the honour of informing your Grace, that it is now eight Years ago, since I was chosen into the place of Schoolmaster of Dulwich College; that from that time to the present there has not any Youth been found of sufficient Abilities to be sent to the University: Nor do I say this, My Lord, from my own opinion or that of the Society only but from the opinion & sentiments of your Grace's Predecessors Chaplains, who in this case are always our Judges: And the true reason, why none have been actually sent, arises not, I can safely say, from any Inattention or Want of care in their Teachers, but solely from the Incapacities of the Youths' themselves, whose Understandings have been found incapable of ever making any Proficiency either in Greek or Latin. There is indeed one at present whose capacity has been adjudged fit & proper to answer the design of the founder; who therefore is intended as soon as of age to be sent to Oxford or Cambridge.

I have the Honour to subscribe myself

My Lord, with the Profoundest Respect.

Your Grace's most dutiful & obedient

Son & servant

WILLIAM SWANNE.

This appears to have satisfied the Archbishop, for there is no record of the matter having proceeded further. At the audit of the 4th September 1761, the following order was made for a lease of the Mill Pond :—

Whereas M^r Edward Russel on behalf of Himself and several other Gentlemen have made application to this audit for a lease of the Mill Pond to angle therein proposing at their own expence to widen the same, dig it deeper, & rail it, so that the said Pond may be made more regular and capacious thereby becoming more useful to supply the Public with water. Therefore Ordered That a lease shall be granted of the said Mill Pond to M^r Edward Russel for the term of 21 years commencing from Michaelmas next at Two shillings per ann: and under such covenants and Reservations as the Master Warden and Fellows shall appoint provided the said pond shall be made agreeable to the said Proposal with Leave to all Subscribers to the same to angle therein and also Liberty for every subscriber to introduce one Person at a Time to angle therein.

Contemporary correspondence shows that the pond was made 104 yards long and 54 yards wide, at an expence of £100, besides the cost of stocking it with fish. The subscription of each member was £40.

On the 5th March 1764, William Cotton, one of the poor scholars, was sent to Christ Church College, Oxford, and allowed £25 per annum for eight years, with all necessary fittings out. He graduated B.A. from Christ Church on the 14th January 1768, and M.A. on the 2nd July 1771.

On the 4th March 1765, the thirteenth and last payment of £20 for the organ was made, and on the 28th March 1766, the Private Sittings book records that "The Rev^d W^m. Swanne who hath been formerly admitted and "educated in this college on the Foundation claimed the Fellowship vacant "by the death of the late Rev^d. John Hilary agreeable to 83rd Statute. We "therefore do admit the said William Swanne to be senior fellow of this "college."

Mr. Swanne had, as already mentioned, been admitted schoolmaster in 1752.

On the 4th September 1767 it was

Resolved, that a memorial shall be presented to his Grace of Canterbury the Visitor of this College praying an Injunction of Leave to cut down Timber upon the College Lands the profits thereof to be secured in the public Funds for the rebuilding the West Wing of the College whensoever there shall be found a sum accumulated for that Purpose.

This was the commencement of the West Wing Fund, which will be mentioned hereafter.

In 1768 there was a dispute between the Master and the organist, Mr. Randall. Mr. Randall was, on the 27th February 1768, fined ten shillings by the Master for absence without leave, that being his second offence; and on the 4th March 1768, the Master made the following entry in the Private Sittings book:—

Whereas it appears that M^r Richard Randall the Organist absented himself from the College on Tuesday Morning and did not return thereto until Thursday Morning following, and notwithstanding he was desired, ordered, and commanded by the Master to stay and hear the statutes read on the said Tuesday, the said Richard Randall in open contempt of the statutes and the Masters Authority replied he would not stay and hear the statutes read let the consequences be what they will, and if the Master would not grant him Leave of Absence he would go out from the College without leave. I therefore fine the said Richard Randall Twenty shillings for not being Resident on Wednesday last according to the 44th statute for this his third offence taken notice of, and I do order that the said twenty shillings shall be deducted from his pension by the Warden.

JOSEPH ALLEN.

The audit took place on the same day, when Mr. Randall appealed to the Court, and three of the churchwardens, with the three other Fellows, signed the following:—

Whereas an Appeal came before us this Day relating to a Fine which was laid

upon Mr. Richard Randall for not being resident last week, We therefore do think it right to remit the said Fine.

Under this the Master wrote :—

The Determination of the three Fellows & three Assistants being inconsistent with & repugnant to the Statutes & injunctions the Master protests against it & appeals to the Visitor.

Archbishop Secker, however, died on the 3rd August, being succeeded by Dr. Frederick Cornwallis, Bishop of Lichfield, on the 23rd August 1768, when the Master, affecting generosity, made a further entry as follows :—

The Master presented a Memorial to the Visitor, who soon after departed this life, & the Fellows by their Behaviour being sensible of their Error, having never afterwards presumed to be absent without Leave of the Master, he did not prosecute the appeal.

On the 23rd February 1769, a poor brother of St. Saviour's resigned his rights, in consequence of hearing since his appointment that his wife was alive.

On the 5th March 1770, George Long, a poor scholar of Dulwich, was ordered to be sent to New College, Oxford. He graduated B.A. on the 17th March 1774.

On the 4th March 1772, it was ordered,

That £80 shall be put into the Treasury chest every fourth Day of September towards rebuilding the West Wing of the College when it shall be found necessary and that the Master Warden Fellows & Assistants for the time being may order the said sum or sums that shall be placed there to be put out in Government security in order to accumulate for the said purpose & in the names of the Master Warden & Fellows of God's Gift College in Dulwich.

In this year the churchwardens made another attempt to reinstate the thirty out-members. The Private Sittings book records, under date 28th August 1772 :—

Whereas his Grace of Canterbury the Visitor of God's Gift College has sent to us, the Master Warden and Fellows of Dulwich College four Memorials which he received from Fayrer Gibbon, W^m Kay, James Rowles, and the Churchwardens of Saint Saviours Southwark, desiring such answers to the Allegations contained in them as we may judge just and proper after having duly weighed and considered them. Therefore having carefully perused and examined the said memorials we are of opinion that the Intentions of the Memorialists are to subvert the foundation of the Institution of the said College and being inadequate to give such Answers which may be valid in law, We resolve, And it is hereby resolved, to lay the said Memorials before our solicitor M^r Jackson in order that he may prepare answers to the said Allegations which shall be approved by Council before they shall be presented to his Grace.

Further ordered That M^r Jackson do now retain Council in case the Memorialists or any of them should hereafter file their Bill in Chancery against the Corporation of this College.

At the audit on the 4th September 1772, the six assistants refused to act or sign the books, and withdrew, giving the following reason:—"That Thirty out Members belonging to the three parishes of S^t Buttolph " without Bishopsgate, S^t Saviours in Southwark & S^t Luke Middlesex " have not been paid the Pensions assigned by the Statutes to the said " Members."

The Archbishop seems to have rejected the Churchwardens' petition as his predecessors had done, for on the 4th March 1773 four out of the six signed the audit book, and at the succeeding audit on the 4th September all the six signed.

The other three memorials mentioned in the Private Sitzings order quoted above, were from Fayrer Gibbon, William Kay, and James Rowles, of which the two latter culminated in further proceedings at a later date, and will be mentioned again; the case of Mr. Fayrer Gibbon was as follows:—

The memorialist, after reciting the foundation and many of the statutes, states that he was induced in 1763 to purchase of Mary Andrews the remainder of a lease for twenty-one years, granted by the College to Thomas Andrews, her late husband, in 1757, of a farm of 174 acres, at £165 per annum. On taking possession, he found the premises very ruinous, having been much neglected by Mr. Pinkard, the tenant previous to Andrews. On the second night of his residence the brewhouse fell down, and the chimney fell into his bedroom. This, he alleges, the College is answerable for, as, in accordance with the statutes, the premises ought to have been surveyed every year at Easter. Upon his writing to the College, the Master came personally to answer, and admitted the ruinous condition of the premises, but denied any responsibility, as he (Gibbon) had purchased the lease with his eyes open, but recommended Gibbon to purchase a dwelling-house which one Lee, an under tenant, wished to sell, assuring him that he would always be left in possession of it. The purchase was made for £500 and sundry reductions in rent. Gibbon wrote several times to the College, asking for timber to rebuild the offices of the old house, but received no answer. In 1766 Gibbon let, with the consent of the College, 11 acres of land to Luke Lightfoot, who agreed to expend £500. On the 29th March 1766, Gibbon applied by letter to be allowed timber to be used for repairs; but no answer was returned, and the season for repairing was lost. The Master and Gibbon also had altercations respecting fishing in the pond. On the 10th November 1766, Gibbon applied by letter to be allowed to let 11 more acres of land to Lightfoot, when the College intimated that the lease would not necessarily be renewed on the same terms, but that the land would be let to the highest bidder; and four days afterwards he was served with notice to repair his

premises. Gibbon then had the premises surveyed, and in January 1767 received an estimate of the repairs necessary, amounting to £649. 16s. On presenting this to the College, he was told to rebuild, and that he might depend on the honour and faith of the College that he would be treated as the other tenants were. Gibbon proceeded to pull down and rebuild the premises, the Warden of the College laying the first brick. In the licence to let 22 acres to Lightfoot the College inserted an extraordinary clause to the effect that at the expiration of the lease the lands would be let to the highest bidder. On the 21st March 1767, Gibbon applied to the audit for timber and for a new lease; on the completion of the house on the 4th May 1767, the College served him with notice to repair the sheephouse and two other dwelling-houses; on the 12th June 1767, Gibbon signed his agreement with Lightfoot. After the repairs were executed, Gibbon applied for a new lease at the audits of the 4th March and 4th September 1768, without result; and afterwards in 1770 he wrote to the Master at Southampton, who appointed to meet him on the subject at Mrs. Plaw's house, when the Master expressed his fixed resolution not to grant a new lease at the same rent, because he (Gibbon) had underlet at an increased rent. Gibbon enumerated several instances where this course had not been resented by the College, and used other arguments without avail; and in his memorial adds that he is advised that he has a right to be heard by counsel at the audit, and that the covenants in the College leases are repugnant to the statutes.

He further states that he, on the 28th February 1767, gave notice in writing of his intention to apply to the Archbishop, and that he attended the audit subsequently held, but got only a verbal refusal to renew his lease. Therefore he prays the Visitor to interfere, that he may have a lease and other remedies. There is no mention of any result of this memorial; but Gibbon assigned his lease to John Harding, to whom a new lease was granted at £195 on the 4th March 1773.

About this time the College was interested in a suit in Chancery brought by Mr. Charles Cole as plaintiff against the College, William Waine, John Willes, and Moses Waite as defendants.

The matters in question were as follows:—William Waine held certain farms on lease from the College, and had mortgaged his leases to Waite. In 1771 he agreed to assign the leases to Cole, in consideration of the latter paying off the mortgage, and paying an annuity to him and his wife during their several lives. The College declined to allow the assignment to Cole, suspecting him of an intention to build small tenements. Thereupon Waine, considering the agreement with Cole at an end, sold the leases to Willes, who was accepted as a tenant by the College, and entered into possession. Cole thereupon filed this bill, praying for specific perform-

ance of his agreement with Waine; and it was decided by the Master of the Rolls in 1773 that the College had no right to reject Cole, and specific performance was ordered, which decree was confirmed, on appeal, by the Lord Chancellor in 1780.

The decision was a blow to the College, as it had always been considered that under a clause in the leases prohibiting any assignment without permission, any assignee could be arbitrarily rejected, whereas it was now decided that it could only be done on good grounds.

An endeavour to set matters right was made by omitting the words "or assigns" in the "habendum" of the leases; but this course led to another Chancery suit with Mr. Charles Maxwell in 1781, after which it was abandoned.

On the 15th May 1774, Mr. Mark Holberry was elected usher in the place of Mr. Richard Taylor, resigned, but himself resigned seven days after, because "he had not received the sacrament nor taken the Oath prescribed for the admission to be Fellow of the College pronounced by the Warden, which are essentials absolutely necessary and required to be observed, performed and fulfilled on the Sunday next after the election by the candidate in order to confirm and make it legal" (Private Sittings book, May 30, 1774).

Mr. Nicholas Layton was elected in his stead.

At the audit held on the 5th September 1774, the Warden took credit for £927 expended on the repairs to the College.

On the 21st June 1775, the Master, Joseph Allen, resigned, inserting the following note in the Private Sittings book:—

I resign the office of Master of God's Gift College in Dulwich, and I permit M^r Thomas Allen the Warden thereof to succeed me in the said office.

Given under my Hand this 21st day of June 1775.

JOSEPH ALLEN.

The cause of this resignation was his approaching marriage to Elizabeth Plaw, who had held a lease under the College since the 4th September 1759, and whose late husband, "Mr. Plaw of Dulwich," was buried in the churchyard on the 21st March 1757. She herself was also buried there on the 27th June 1781. Joseph Allen survived her fifteen years. The following notice of his death is from the *Gentleman's Magazine* for 1796, vol. lxvi. p. 85:—

On the 10 January 1796 after a few days illness in his 83^d year Joseph Allen M.D., upwards of 30 years Master of Dulwich College, Surrey. This advantageous and honourable office he resigned to his worthy successor the present master, upwards of 25 years ago, on his marriage: which holy state was deemed by the Founder incompatible with the duty of this magisterial chair. D^r Allen was supposed to be

the last survivor of those who went round the world with Lord Anson.* His conduct in public and private life was most exemplary, he was charitable, just, and liberal, full of information, friendship and benevolence; and by his will has bequeathed £500 to the Asylum and £500 to the Lying in Hospital. The rest of his ample fortune, except a few friendly and family legacies, he has left to his nephew, M^r Richard Allen, a surgeon of great respectability in the borough of Southwark.

He also left to the vicar and churchwardens of Camberwell £200 three per cent. consols, in trust for them and their successors, to pay the interest and dividends thereof to the churchwarden and overseer for the time being for the hamlet of Dulwich every year, to be laid out in coals, and distributed amongst the poor housekeepers of the hamlet of Dulwich for ever, in such manner as the churchwarden and overseer for the time being should think proper. (See *Charity Commissioners' Report*, 24th June 1826.)

* In a subsequent number of the same magazine this is contradicted, another survivor having been discovered.

CHAPTER XI.

THE HISTORY OF THE COLLEGE, 1775-1805.

DR. JOSEPH ALLEN having resigned, Thomas Allen was sworn in as Master on the 21st June 1775, and an election of a new Warden was held on Monday the 10th July.

There were seven candidates, viz. William Allen, gentleman usher to the Queen (Charlotte); William Allen, of Lord Dartmouth's office; William Allen, of Doctors' Commons; John Allen, of Wapping, clerk; Henry Allen, cloth drawer; John Allen, grandson of a former Warden; and Nathaniel Allen, attorney-at-law; none of whom had been candidates at any previous election.

William Allen, of Lord Dartmouth's office, obtained nine votes, Henry Allen, the cloth drawer, seven, and John Allen, the grandson of a former Warden, six, and consequently William and Henry were appointed to draw lots. William, being the eldest, drew first, "and as he drew God's Gift, " was duly elected and proclaimed warden accordingly."

On this occasion the record is silent as to the election dinner.

The following is entered in the audit book in reference to the security to be given by the new Warden:—

Whereas by the 17th Statute it is ordained that the Warden shall presently after his election and before his admission become bound in a statute of one Thousand pounds to one or Two persons nominated by most part of the Electors then present, the defeazance whereof shall be that at all reasonable time or times thereafter he yield and make a perfect account of such monies Issues, Rents and Profits which he shall then after his being warden receive and take from out of the Lands Goods Chattels or Profits belonging to the College or which in anywise shall concern the same which statute has been duly observed ever since & William Allen who was on Monday the 10th day of July duly elected Warden of this said College, and was also ready and willing to have complied with the above mentioned statute and went to John Jackson Esq^r our steward for that purpose who attended upon William Chamberlayne Esq^r the Clerk or Deputy to the Patentee of the office of Clerk of the statutes-stapel,* who said he could not receive or enter up any such statute for that the patentee who had a Life Estate only in that office was lately dead so that it was

* Bonds were formerly acknowledged before one of the clerks of the statutes—merchant and mayor of the staple or chief warden of the City of London.—HALLIWELL.

Impossible any such act could be executed until some new Patentee was appointed which he apprehended would never be done in regard the Fees and profits of such office by means of the non user of such mode of Security were so small it would not be worth any Person's while to renew the patent or Loose time in attending such office and therefore M^r Jackson advized that in Lieu and stead of such statute staple and in order as far as might be to answer the Intent of the Founder and substitute some other sort of security the said warden should Execute a Bond and Warrant of Attorney to confess a Judgement thereon to be Entered up in his Majesties Court of King's Bench which has been done accordingly.

Though the late Master, Dr. Joseph Allen, had not been in great accord with the Fellows during his mastership, the whole Society united to do him honour upon his retirement.

The lease which had been granted to his wife, Elizabeth Plaw, on the 4th September 1759, for twenty-one years,* and which, therefore, had but five years to run, was renewed in his name for twenty-one years on the same terms, and it was ordered, "That the Thanks of this Corporation be given to him in writing as a Testimony of their sense of his many services done them in the judicious Government thereof, and that he be desired to sit for his Picture to remain for ever in the said College."

The picture, which was painted by George Romney, is now in the Board room of the new College.

The answer of Dr. Joseph Allen to the above complimentary resolution, preserved among the College papers, is as follows :—

Dulwich 10 Sept. 1775.

Gentlemen

My respects and acknowledgement wait on you in the most grateful manner as well for your very obliging order to grant me a lease, as for the very Particular Honour that you have conferred upon me by an exalted Testimony given upon Record of your approbation of my conduct in the Government of God's Gift College, an additional Honour also in your Request to sit for my Picture to remain in the said College for ever, Impresses an Obligation which I shall endeavor to acquit myself of in the course of the summer. This Honorable Testimony and seal of approbation Indulges me in a Wish that I had merited them by past Services. But however that may be a firm and Invariable attachment to the true Interest of God's Gift College by Serving the Corporation at all times hereafter will always be considered and persued as an Obligation of Duty, that shall be religiously attended to.

Gentlemen your very much obliged
and most humble Servant

Master, Warden, Fellows &
Assistants of God's Gift College.

JOSEPH ALLEN.

At the audit on the 4th September 1775, it was ordered that "Thomas

* Mrs. Plaw had applied on the 3rd March 1767 for a new lease in consideration of having laid out a considerable sum of money in building a new house. Her letter is still extant.

“ Evans on having a lease of the Houses and Grounds which he now holds
 “ of this College situate in Bishopsgate shall fix up a stone with such an
 “ inscription thereon and in such a place as the said Master, Warden and
 “ Fellows shall direct.”

In this year, 1775, the College had some further trouble in respect of the farm formerly held by Fayrer Gibbon, who, as has been shown above, had memorialized the Archbishop of Canterbury to procure for him a renewal of his lease, but without result. The lease had been originally granted in 1757 to Thomas Andrews for twenty-one years, and would expire in 1778. This lease had been assigned to Fayrer Gibbon, and he, failing in his efforts to procure a renewal, assigned the remaining term to John Harding, who in his turn assigned it to Robert Bulkeley, the tenements held under it comprising, amongst others, the houses called Denmark Hall, and the Crooked Billet, which latter was afterwards called the King's Head, and subsequently the White Hart.* The lease contained the usual clause reserving the timber to the College and other covenants, amongst them one obliging the tenant to build a barn, which had not been done. Bulkeley had also, as the College alleged, “ destroyed in the year
 “ 1775, 500 perches of the Fences, and 500 perches of the hedges, and
 “ felled divers trees, to wit, 500 Ash Trees, 500 Elm Trees, 500 Beech trees,
 “ and 500 Oak trees and filled up sundry ditches and a draining pond.”

The College then brought an action of ejectment against Bulkeley, but having inadvertently accepted rent from him subsequently to its commencement, it fell to the ground, and Bulkeley paid the College £30 as costs in consideration of its not being renewed, writing the following letter :—

London 4 June 1776.

Gentlemen, As there appears to be a difference between us, if it is agreeable to you I am ready to leave the matter to your solicitor M^r Jackson and to my lawyer M^r Reade, and whatever they determine shall be binding to us both. Or as it is more than probable we must have concerns together for many years, possibly it would look more friendly for a meeting to be appointed at any Coffee House in London between the Master Warden and I, where as I conceive no injury has been done, I should beleive this most important matter would be immediately settled. To either of the above proposals I agree and leave the choice to you.

I am, Gent^l. your obedient Servant,

ROB^t. BULKELEY.

To the Master Warden, and fellows at Dulwich College.

In reply to this the College passed a minute at their Private Sittings on the 14th June 1776, in the following terms :—

We having well considered of the said letter are unanimously of opinion that until the said Robert Bulkeley has Given us assurance under his hand that he is

* This inn stood somewhat south of the present North Dulwich Station.

willing to make us such ample satisfaction as is justly due to us for the great Injury he has done to our Estate, The meeting mentioned and Desired does not appear to be for the good and welfare of this College, as he conceives no Injury has been done.

Eventually an arbitration was agreed upon, and Dr. Joseph Allen, the late Master of the College, was appointed to act on its behalf, and Mr. Reade, solicitor to Mr. Bulkeley, on his. Reade, however, failed to attend the arbitration, which was therefore without result; consequently the College brought an action against Bulkeley for damages, which was tried at Guildford Assizes before Lord Mansfield in 1778, and resulted in a verdict for the College, with £150 damages, and costs, which were taxed at £108, and paid by Bulkeley, together with the damages.

Mr. Bulkeley then consented to restore the farm to its original state, and an agreement was drawn up and is still at the College, but he died without executing it. His father and executor, Thomas Bulkeley, came into possession of the farm, and it would appear that the lease had been renewed or extended, for he was in possession in 1789, when the following order was made at Private Sittings on the 6th April:—

“Whereas Mr Thomas Bulkeley, notwithstanding several messages to “forbid him, has suffered sundry of the Timber Trees and Pollards to be “lopped and topped upon the estate late in the occupation of his son “Robert Bulkeley now deceased, which is contrary to the lease granted by “this corporation. Ordered that Messrs Parnter and Druce be directed to “proceed according to law against the said Thomas Bulkeley.”

The result of this was that Thomas Bulkeley agreed to an arbitration, and an award was made under which he paid the College £160 in full of all claims, and apparently surrendered or assigned the lease.

On the 4th March 1777, it was ordered “That the sum of £7. 16. 5. be “paid to the Master of this College for cash expended in sundry repairs “made and done in his apartments, upon the Master’s engaging at the “same time never in future to attempt or do the like in future without an “order of this House.”

In 1776, Sarah, Lady Falkland, died. She was the daughter of Thomas Inwen, Esq., of Southwark, and married first Henry Howard, tenth Earl of Suffolk, who died in 1745, and secondly, Lucius Charles Cary, seventh Viscount Falkland. She bequeathed £300 to the Master and Warden of Dulwich College, in trust that they should invest the same, and pay the interest in equal portions to the six old men and six old women, pensioners of the said College, part and share alike, on every Christmas Day.*

The Warden has left the following memorandum on the subject:—“Lady

* This legacy merged into the general funds of the College in 1857. Lady Falkland’s portrait hangs in the Board-room of the new College.

“ Falkland having left by will £300 in trust to the Master and Warden
 “ that the principal should be deposited in the publick Funds and the
 “ interest equally applied to the poor Brethren and Sisters every Christmas
 “ and that it should be paid immediately : yet the Legacy was not received
 “ till the 5th Sept. 1777, because the executors would not disburse the said
 “ sum till the College seal was affixed to the Receipt, to which the Fellows
 “ would not assent unless the £300 was vested in their corporate names,
 “ the propriety of which being shewn by the Attorney General’s (Thurlow)
 “ opinion, accordingly it was received, the College seal being affixed to the
 “ Receipt on Friday the 5th September 1777, and the same day the £300
 “ was vested in the public Funds in the manner following and in the names
 “ of the Master Thos. Allen, W^m Allen, Warden, M^r Swanne 1st Fellow and
 “ Thos. Williams 2nd fellow, viz^t

“ 5 Sept. Old South Sea Annuities £400 c 76 $\frac{1}{4}$	£307	0	0
Commission . . .		0	10 0
	<hr/>		
	£307	10	0

“ Paid myself from the interest rec ^d which makes the cost of the stock equal to the legacy left and received . . .		7	10 0
	<hr/>		
	£300	0	0

“ WILL^m ALLEN.”

On the 4th September 1778, it is recorded that the Indian Bond which had been purchased with the £100 deposited in the treasury chest had been paid off, and it was ordered that the said £100 be bought into the 3 per cent. consols.

On the 21st April 1780, it was ordered that a “ memorial be Presented
 “ to his Grace of Canterbury the Visitor of this College praying Leave to
 “ cut down such Timber Trees as grow on the West South and South West
 “ parts of the College For the purpose of Rebuilding the Barn and Stables
 “ lately Blown Down.”

On the 14th December 1781, the Rev. Hugh Panton was elected usher in place of Mr. Stow, promoted to be schoolmaster. It is remarkable that Mr. Panton had previously filled this office, having been elected on the 16th January 1766, and resigned on the 20th November in the same year. There is no record of the cause of his resignation, but on the 31st December 1766 he was a candidate for the office which he had just vacated, and was one of the two appointed to draw lots, but was not elected, Mr. Richard Taylor drawing the right lot. He then disappears, but on the 30th May 1774 he was again a candidate for the ushership, and selected to

draw lots, but his competitor, the Rev. Nicholas Layton, was successful. He allowed two elections to be held without competing, but on the 5th November 1781 he was again a candidate for the post of schoolmaster, and drew lots, once more without success, Mr. Neville Stow being elected. On the above-mentioned 14th December, however, he succeeded in drawing the "God's Guift" lot, and again became usher, but held the office for barely more than a year, resigning on the 15th January 1783.

At the Private Sittings on the 30th January 1782, it was ordered "that Mr John Vernon of Lincoln's Inn do retain counsel and prepare an answer to a bill in Chancery filed against the corporation by Mr Charles Maxwell."

The circumstances of this dispute as extracted from the papers in the suit were these: The College let to Francis Cox a messuage or tenement then called and known by the name of the Green Man (now called Grove Tavern), with liberty to cut a footway or walk through the College wood, called the 50 acres, fronting the said premises, to the top of Ambroke Hill, and agreed to reserve on each side of this path half a rood of wood uncut for shade. Cox assigned his lease to Smith, a clerk in the Exchequer, who assigned to James Rowles, wine merchant, of St. James', Westminster, and the lease expiring, the College in 1773 sealed a new lease to James Rowles, jun., for twenty-one years, from Michaelmas 1759, at £14 per annum, and £4 every time the wood was cut. In 1774 Maxwell, the plaintiff, bought this lease of Rowles for £550, and laid out about £1000. The lease expired at Michaelmas 1780, and plaintiff applied for a renewal at the same rent, but the College insisted upon £22 rent, to which the plaintiff agreed, and an order was made at the audit for a lease for twenty-one years at £22 in the usual form, which was "with the usual covenants and such other covenants as the Master Warden and Fellows shall appoint." The Master Thomas Allen insisted upon drawing the lease himself, and delivered a draft omitting the right to the path through the wood, leaving out the word "assigns" in the "habendum," and introducing a covenant to insure against fire, and to deposit the policy with the College. Plaintiff, by his solicitor, Mr. Constable, applied to have a lease identical with the old lease, but agreed to covenant to insure and to spend all moneys received from the policy upon the premises. Receiving no answer, he threatened proceedings in Chancery. The Warden and four Fellows unanimously agreed that the plaintiff ought to have such a lease, and Mr. Constable prepared one, and submitted it for the College seal, but the Master said "he would sooner die in Newgate than suffer the seal to be put to this lease." Thereupon the Warden and four Fellows entered a protest in the Exeat book, and Maxwell some time after filed his bill in Chancery, to which the College answered according to the above order, relying upon the words "and such other covenants," &c., in the order for the lease, and

alleging that though the majority of the College was, at the time of the presentation of the lease by Constable, in favour of sealing it, yet as one of the Fellows had died, and others left, the existing majority was against it.

The cause was heard on the 14th July 1783, and the College was ordered to seal a lease as prepared by the Master of the Court, and to pay costs.

While this cause was pending, it was ordered on the 4th March 1782,

That Alderman Wright shall, upon the surrender of an old lease granted to Edward Russell, have a new Lease granted to him, of the large Pond of Water on Dulwich Common called the Mill Pond, at the rent of 2 shillings per ann., which lease shall contain such Covenants as the Master, Warden & Fellows shall appoint, and to commence at Ladyday next, for the term of 21 years. But not to extend to his assigns, only to him & his executors & Administrators. It having been found that inserting the word assigns in the demise or grant of our Leases has given rise to several expensive Law Suits, & to other great evils. Therefore we think it right to omit the word "assigns" in the demise or grant of all the Leases to be made by this corporation.

And at the same audit it was ordered,

That some proper person be employed to survey the whole estate of this corporation situate in this manor of Dulwich & Report the number & value of all the Trees & Pollards thereof, setting forth the names of the Tenants or occupiers thereof: and what is best to be done.

On the 4th October 1782, at a Private Sittings it was ordered "that Mr Jackson our present steward be desired to bring in his accounts, and that Mr Robert Parnter be appointed Steward and attorney to the Corporation."

In 1784 the College took the opinion of Mr. James Mansfield* as to whether the Master, Warden, and Fellows could vote for the counties of Middlesex and Surrey in right of the College property, the answer being unhesitatingly in the negative.

Archbishop Cornwallis died on the 19th March 1783, and was succeeded on the 31st March by Dr. John Moore, Bishop of Bangor, from whom there are several autograph letters among the College papers, one of the first of which is dated 26th September 1785, and encloses extracts from a memorial which had been sent him respecting the cutting of timber, which he peremptorily forbids. This Archbishop seems to have been exceedingly particular about the timber, and his surveyor Mr. Thomas Hardwicke was continually employed about the College affairs during his tenure of office.

At the audit on the 4th March 1786 the amount to the credit of the

* James Mansfield, of the Middle Temple, called 1758; Chief Justice of Common Pleas, 1804; resigned 1814; died 1821.

College was £1066. 7s. 9d., the dividend was £1050, and the following order was made in respect of the building fund :—

The paying of £80 in every year upon the 4th day of September for building the West Wing of the College which was ordered at the audit held upon the 4th of March 1772 having accumulated to £2100 stock of the 3 per cent. consols. It is hereby ordered, That the Dividends continue to be laid out for the said purpose, & that instead of the exact sum of £80 therein mentioned, that the Master, Warden & Fellows at their Private sittings may direct what additional sum or sums they think fit, in assistance to the said Dividends for the especial purpose of Rebuilding the West Wing. Provided nevertheless that one hundred pounds stock, at the least, be bought every year, until an Order be passed to the contrary.

On the 5th March 1787 it was ordered,

Whereas the clauses which have been usually inserted in the Leases granted by this Corporation to the tenants thereof, giving such tenants leave to cut bushes &c and to turn on such sorts & number of cattle on the common called Dulwich Common, as this Corporation should from time to time appoint, having been found of little advantage to the tenants & no benefit to this corporation : It is therefore Ordered, that in every Memorandum or agreement for letting any of the Lands or estates of this Corporation, & in all future Leases to be granted thereof, no such clause or clauses shall be inserted & that such Lessee or Lessees shall be restrained from cutting any such bushes, or turning on any cattle, sheep, or other stock upon the said common, without the express leave & licence of this Corporation, in as much as the tract of land called Dulwich Common is capable of being made very valuable & greatly beneficial to this Corporation in time to come & more especially if the same was inclosed ; for which purpose an application is intended to be made to Parliament, as soon as convenient, if it should be found necessary so to do.

At this audit a lease was granted to Mr. John Morgan, at a rent of two shillings a year, of so much of the College wood adjoining Penge Common and of Low Cross Lane, as should be necessary to make a road, not exceeding 30 feet in breadth, from the top of the wood down to fields in his occupation. “ But in regard there are divers Trees which must necessarily be cut down in the making such occupation way, this Order is to be subject to, and not to be carried into execution, without submitting the same to the consideration & approbation of his grace the Lord Archbishop of Canterbury Visitor of this Corporation, for which purpose a plan of such intended road is hereby ordered to be laid before his Grace : And upon such other terms & conditions as this Corporation shall, in their said lease think fit.”

The following letter, the autograph original of which is at the College, is inserted in the Private Sittings book as the Archbishop's answer, under date 1787 :—

Master and Gentlemen.

Supposing the requisitions from the Surveyors Bugden and Tagg to be legal you must of course comply with them ; But a fair price must be paid for the Trees taken

down and the money applied to the Fund account. With respect to the pollards sold some time since to M^r. Barton I must desire to be Informed of the sum paid for them and that money also must be paid into the General Fund.

In regard to the Road in Contemplation towards Beckenham I find there are a Variety of opinions about the Expediency of it. But at all events, It is a matter which I am not concerned in.

This letter having been taken into consideration, it was ordered that a lease be granted to Mr. Morgan in accordance with the terms of the order of the 5th March 1787. The road is now the upper part of College Road and Fountain Road.

At Michaelmas 1787 a difficulty arose with Mr. Mainwaring Davies, who declined to give up possession of some lands of which the lease had expired. The entry in the Private Sittings book in the matter is of especial interest, as it mentions for the first time the name of Mr. Charles Druce, who was afterwards steward and solicitor to the College for a period of sixty years. Mr. Druce was then, or at any rate shortly after became, the partner of Mr. Parnther, the firm of Parnther & Druce being mentioned as solicitors to the College in an entry quoted above, dated 6th April 1789.

The entry previously referred to is as follows:—

Michaelmas Day 1787. This day the Warden with M^r Puddicombe the Usher, M^r Druce attorney at Law, Richard Moor and John Wells Two Servants of the College went to the Dwelling House of M^r Mainwaring Davies, and in the name of this Corporation demanded Possession of the Premises late in Lease to Edward Gleadhill and in the occupation of the said M^r Davies, now let out in different parcels to M^r North and others. The said M^r Davies being at the Dwelling House upon the Spot Enquired to know if the warden was a proper person to receive possession and being answered in the affirmative He said that provided the Warden would Engage that he should have a Lease of the House, outhouses and Garden for 21 years at a pepper corn rent, that then he would go with him into all the Fields and give him possession of the Land. To which it was said that the Warden only wanted an Answer. M^r Davies replied that on any other Terms he would not give up the possession of any part of the premisses.

Mr. Mainwaring Davies at once commenced a suit in Chancery against the College, and on the 13th November 1787 it was ordered, "That the common seal be affixed to the answer which M^r Rob^t Parnther our Steward has prepared to a Bill of Complaint preferred against the Corporation in the Court of Chancery by M^r Mainwaring Davies;" and in August 1788 notice was given to Mr. Fleetwood Bury, to whom it had been agreed to grant a lease of part of the land, that "in case he (M^r Davies) shall hold over, so as that possession cannot be given at the time aforesaid, then this Order is to be void, we think it right to acquaint you that we shall proceed at our next audit on Thursday the 4th Sept^r

“ to let our premises on a new bargain. If you choose to send proposals we shall be glad to treat with you, in the name of the whole Society.”

The papers in this suit are preserved at the College, and are marked in the handwriting of Thomas Allen, the Master, “Read all or none at all.”

It appears from them that Mr. Mainwaring Davies had purchased from Edward Gleadhill the lease of a house and 115 acres of land for twenty-one years, from Michaelmas 1766, and had laid out £1200 “in the assurance,” as he asserted, “of renewal for three terms.” He further alleged that in 1780 he was expressly promised by Thomas Allen, that he should have a new lease, but that it was not to be signed till near the expiry of the old one. This promise the College utterly denied, and Mr. Davies threatened that unless his lease was renewed he would pull down the house and plough up the meadow land. Thereupon, on the 26th January 1787, the College obtained an injunction restraining him from damaging the property, and he filed the bill in question in Chancery, praying that the Court would order the College to grant him a new lease. His suit was dismissed, and the lands were let in lots to the highest bidders.

In 1788 Mr. William Kay printed a memorial which he proposed to present to the Archbishop, praying that he would interfere to procure him a renewal of his lease, and complaining bitterly of the conduct of the College towards him.

The circumstances appear to have been as follows :—

The College had in 1754 granted a lease for twenty-one years to Jeremiah Joye of the messuage or mansion house called Hall Place, and of a small messuage adjoining, lately in the occupation of Mary Lynn, whose husband had been killed in a duel. In 1767, according to the memorialist, “Mr Joyes executors (with a licence from the College) put up the Premises for sale by Auction, at the New York Coffee House, in London, and the Auctioneer declared the Premises to be renewable in perpetuo subject to the ancient Rent only and that no Fine or increase of Rent could be raised thereon, and the Master of the College being present at the Sale, and not opposing or contradicting the Auctioneers Assertions, the Premises were sold under those Terms to one Mr Daniel.”

In 1768, William Kay, the memorialist, purchased the lease from Mr. Daniel, having previously, as he alleged, received from the then Warden, now Master, and some of the Fellows, an assurance that he would have no difficulty in obtaining a renewal of it, and in addition to the 650 guineas paid to Mr. Daniel, he expended £2000 and upwards in repairs and improvements.

He then, as he alleged, at the instigation of Thomas Allen, applied for

a new lease, though the existing one had still six years to run, and an order was made for it on the 5th September 1768. Disputes arose between Mr. Kay and the College as to the terms of this lease, but ultimately, after an appeal to the Archbishop, who declined to interfere,* it was accepted as prepared by the College, and sealed on the 27th March 1773, the term of twenty-one years commencing at Michaelmas 1768, in accordance with the order of the audit.

Meanwhile there had been considerable friction as to the access to Hall Place, which had usually been by crossing Dulwich Common. In 1766, however, a Mr. Waring, a brewer of Lambeth, took a farm lying behind Kay's premises, but not part of the manor of Dulwich, and he, by using the common for his carts going to his farm, so cut it up as to render it almost impassable in winter.

After some negotiations with Waring, which fell through, Mr. Kay obtained permission from the College to make a road across the common, and made a ditch on each side of it, to prevent Mr. Waring's carts coming upon it. But "as soon as the ditches were cut Mr. Waring filled them up " with Bavins, and traversed the common as before."

Mr. Kay then proceeded with the new road, and there being a deep ditch which intersected it about the middle, he made a bridge over it, and placed an iron bar across the bridge. This the Warden of the College cut away, and again gave access to Mr. Waring's carts, which, according to the memorialist, "in one week rendered it impassable again."

After this, Mr. Kay determined to sell the lease, and put it up for sale by public auction on the 9th June 1773, but the Master attended, "and "publicly declared in the name of the Master, Warden and Fellows, that "they were not bound to grant a new lease upon the expiration of the "present lease, but were at liberty to grant a new Lease to any Person, at "such advanced Rent as they should think the same might be worth, by "the additions and Improvements made or to be made thereon: and by "such Declaration (in breach of the Faith and solemn Promises and "Agreements of the College, and with a View of reaping the Benefit of the "great sums of Money laid out by your Memorialist) prevented your "Memorialist from selling and disposing of his Interest in the Premises."

Mr. Kay states in his memorial that he then made a new road to his houses at an expense of upwards of £200, "which is now used in common "by all Persons, and the Common is thereby rendered useful and beneficial "to the College and their tenants, which before was useless."

As the term of the lease approached its end, Mr. Kay made application for a renewal, and after having been put off on several occasions he finally, on the 4th August 1788, received a letter from the Master acquainting him

* See *ante*, p. 298.

that the College would proceed to let the estate in his occupation at the audit on the 4th September, and that they would be ready to treat with him if he desired to be a bidder.

The memorialist thereupon circulated an appeal to the Visitor against the College, who (in his own words) “rule the tenants with the most absolute “and despotick Authority, And after having by Blandishments and fair “Promises, induced well designing and unwary Men to lay out great sums “of Money in Buildings and Improvements upon their Estates, they then “take all Opportunities of vexing and disquieting them, so as to render “their Tenure uneasy and irksome, and at last give up their Possessions “rather than submit to the Insults and Indignities of the College, and “then taking Advantage of other Men’s Improvements, they have doubled “and (as your Memorialist is credibly informed) trebled the Income of “their Estates, which though given for Charitable Uses, is squandered in “Connections of evil Example and immoral Tendency.”

The Archbishop, if he ever received this, declined to interfere; but the Private Sittings book contains a copy of a notice served on Mr. Kay on the 14th March 1789, requiring him “to deliver up possession of two “messuages or Dwelling houses with the out houses, yards, Gardens and “appurtenances, and the several Fields, Pieces or Parcels of Land and all “other the premises which you hold of the said College.”

This he no doubt did, but on the 4th March 1790 he applied for a new lease of Hall Place, and four fields adjoining, being in all 18 a. 1 r. 6 p., and thereupon the following order was made:—

Whereas M^r William Kay having published a Printed Memorial with an intent to send the same to the Archbishop of Canterbury, & which was sent to the members of the College and the Churchwardens as their assistants, reflecting on them and containing many ill founded assertions We conceive it to be a Duty incumbent on us for the sake of our Characters & Posterity not to Grant any further Lease to him or to permit him to be a Tenant of the College untill he has made a proper apology for the same.

Mr. Kay was present, and forthwith signed the following apology:—

I do hereby Apologize to the Corporation of Dulwich College & the Churchwardens Assistants of the same for the Assertions contained in the above Memorial.

WILL: KAY.

Upon this a lease to him was ordered.

On the 13th August 1790 Messrs. Parnter & Druce addressed the following letter, from London Street, to Mr. William Oxlade, who had established a glue manufactory on Dulwich Common:—

Sir, We are desired by the Corporation of Dulwich College to acquaint you that your carrying on the Glue manufactory on Dulwich Common is so great an Incon-

venience and offence to the neighbourhood that it cannot be submitted to, and must of necessity be removed: And as the continuing the same is expressly contrary to the agreement between you and them, there is no good reason why they should bear any part of the Expence of Removal. Nevertheless for the sake of peace and to prevent any dispute, the College desire us to inform you that If you will remove the same to Ambroke Hill, on the East Side of the road leading to Sydenham, they will Consent to an abatement of £5 pr ann: in your rent during the remainder of your term. M^r Dugleby the College surveyor together with M^r Hardwick have surveyed the Kiln, Sheds and other Buildings used in the manufactory and are of opinion that the same is a fair and very Liberal offer. We are therefore to request your answer and at the same time are further Desired to Inform you, that this offer is without prejudice to the right of the College under the agreement with you. And that if fair and reasonable terms made when there is no reason for any Concession are Refused, that they will take such measures as will be necessary finally to Determine the agreement between you and them in consequence of your having broken the same in several Instances.

Nothing further being recorded on the subject, it may be presumed that the nuisance was removed.

It is probable that the disputes above mentioned as to the renewal of leases created some alarm among existing as well as intending tenants. It will be remembered that the system of "recommendams" had been solemnly condemned in 1720, but no doubt something of the sort still existed. On the 4th September 1793 the following order on the subject was made at the audit:—

Whereas Edward Alleyn Esq^r the Founder of this College among the statutes and orders made by him "concerning the Lands given by Him to the said College, the "Revenue thereof and in what manner the same should be disposed," hath ordained that no lease or leases should be granted for a longer term than one and twenty years with a valuable Rent reserved thereupon without any fine to be taken for the same, and whereas many parts of the Estates and Lands belonging to the said College and particularly that part of the estate between Camberwell and Dulwich are very eligibly situated for building which building would greatly increase the value of the estates and tend to promote the benevolent Design and Intention of the Founder. Therefore we, the present Master, Warden, Fellows and Assistants assembled this day at the Audit of the College feeling it indispensibly our Duty to manage the estates of the College to the best advantage, being desirous of inducing Persons to build thereon and actuated by motives of Justice to give them a suitable Return for the money they may expend. Do hereby as far as we lawfully may and without meaning or intending to deviate from, or act repugnant or contrary to either the express words or true sense and meaning of the statutes of the College, Declare that all Persons who shall under a contract made with the said College for that purpose (but not otherwise) hereafter erect or build any messuage Tenement or Dwelling House on any part of the College Estate, their executors, Administrators or Assigns ought to be permitted to hold and enjoy the same with the yards, Gardens, offices and appurts thereto belonging during three successive compleat terms of 21 years each without any Encrease or addition of rent to be made upon the same in respect, or for, or by means of such building and we

do as far as we lawfully may or can pledge the Faith and Honor of the College and ourselves as Individuals, during our Continuance therein, that it is the intention of the said College to adopt the said Plan accordingly and to permit the Lessee by the Enjoyment of three compleat Terms of 21 years to have a Return for his money expended which in that time we conceive will be fully given. At the same time we declare that after the Expiration of the said three terms all Benefit and advantage whatsoever ought to be derived by, and belong to the College and our Successors without any claim for a Renewal or further extension of Term after that time, by Reason of any money expended in Repairs, Alterations, Improvements, or otherwise howsoever.

But this our declaration is confined to such Plots or pieces of ground only as shall be expressly let to build on, and on some part of which Building shall be contracted to be erected and not meant to extend to any lands contiguous, or adjoining thereto, although such Lands may be included in the same leases or enjoyed or held by the same Lessee.

A copy of this resolution was sent to the Archbishop of Canterbury, who, on the 1st March 1794, addressed a letter to the College, in which he stated that he considered the proposed arrangement not authorized by the statutes, and expressed his formal disapprobation.

Nevertheless it was acted upon, and proved effective, not a few persons having built houses on the College property on the strength of it, as will subsequently appear in a notice of the Act of Parliament passed on the subject in 1808.

Soon afterwards, on the 4th March 1795, the form of the College leases was revised, and it was ordered—

That all leases hereafter to be granted by this Corporation of any of their estates do contain the following Covenants, Provisoes Reservations and agreements to be always inserted therein as usual and general clauses viz^t.

There shall be reserved to the Corporation and excepted out of the Demise all wood and underwood, Timber and other trees and Pollards with the Lops and Tops thereof and the tenants shall covenant not to cut nor take any.

There shall also be reserved General Liberty of Ingress and Regress as well to see to the Repairs as for all necessary Purposes.

There shall also be reserved to the Corporation all Rights of Common, Common of Pasture and Herbage and the Tenant shall covenant not to take claim or use any in respect of the Premises to be demised.

The Lessee shall covenant

To repair, uphold, support and maintain the Premises to be demised with the appurts and to leave the same in proper Repair at the end of the Term.

A schedule of Fixtures shall be made and annexed to every Lease and the Lessee shall covenant to leave them in repair.

To paint all the outside wood and Iron work once in every seven years twice in oil.

To lay 10 load of Dung on every acre of meadow within the last three years and during that time not to take more than one crop in one year.

Not to plough, dig up or break any meadow or Pasture Land or use it otherwise than as such.

Not to assign the Lease or grant any Under Lease of all or any part of the Premises to be demised without Licence.

To insure all buildings in some of the Public Offices in London or Westminster for a competent sum, to be ascertained by the surveyor of the Corporation in the joint names of the Corporation and Tenant and in case of accident for the money to be applied in rebuilding or repairing the same.

There shall be a Proviso for making every Lease void in case of non payment of the Rent or non performance of the Covenants or any of them and for Reentry in such case.

And on the part of the Corporation, The usual covenants for quiet enjoyment.

On the 10th November 1796, the Archbishop ordered that David Evans, a poor scholar, eight or nine years of age, should be brought up and educated with a view to his being sent to the University; but he probably proved incompetent, as he was apprenticed to William Myhill, whose trade is not stated, on the 24th November 1798.*

On the 22nd of February 1798, the College increased the insurance on their buildings in the Hand in Hand Office, to the amount of £5000, and paid the premium for seven years.

About the close of the century the country generally was in a state of great excitement respecting a possible invasion of Great Britain. Dulwich was not slack in this matter, for on the 17th February 1798, Thomas Allen, the Master, presided over a "numerous and respectable meeting of Inhabitants of the hamlet," at which it was resolved to open a book to receive contributions for the defence of the country, and to make a house-to-house collection for the same object; and on the 1st May in the same year another meeting was held, of which the Warden was chairman, "to form an armed association of infantry in the hamlet for the better defence and security of the neighbourhood at this critical juncture." At this time Dulwich Common was used as a practising ground for volunteers and militia. A copy of a sketch map drawn up by Lieutenant-Colonel Blaquiére is given as an illustration. It may have been strategically useful, but can hardly be described as accurate.

At the end of the year 1800, the firm of Parnther, Druce, & Parnther dissolved partnership by mutual consent, each member retaining the business of his own friends. There are among the College papers two printed copies of the circular announcing the dissolution, on one of which is written an application by Mr. Charles Druce for the business of the College, and on the other a resignation of it by Mr. Parnther in favour of Mr. Druce, who had long personally managed the College affairs, all the entries in the audit book concerning leases, &c., being in his handwriting

* A boy was apprenticed in 1830 to William Myhill, tailor of Peckham.

Sketch of the
ENVIRONS OF DULWICH.

With a description of the circumjacent grounds.
Taken on the spot under the direction of

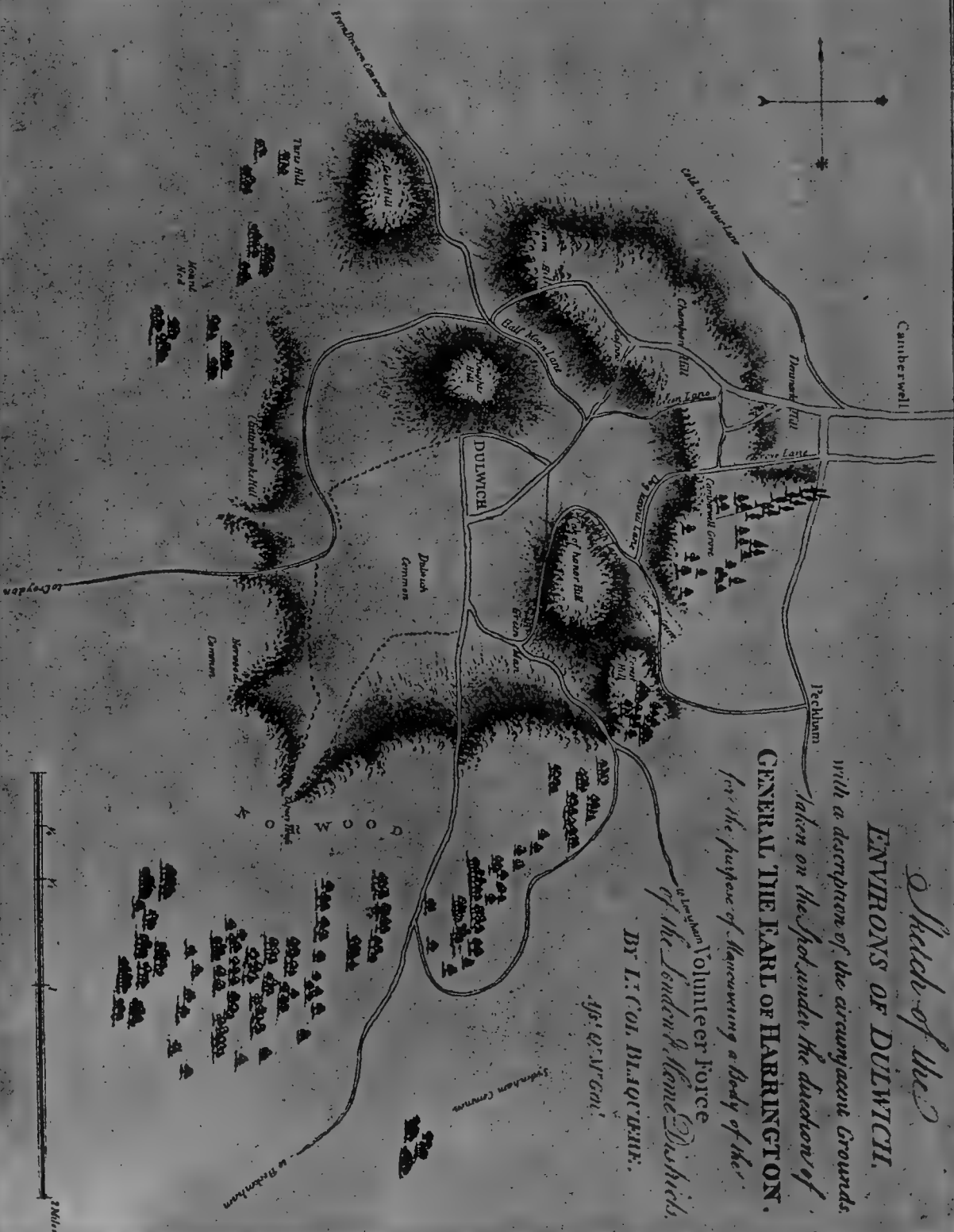
GENERAL THE EARL OF HARRINGTON.

for the purpose of Manœuvring a Body of the

Volunteer Force
of the London & Home Districts

BY L. T. COL. BLANCHARD.

J.S. Q.W. Gu:



ENVIRONS OF DULWICH

about 1800.

since 1788. From this time he became the sole steward and solicitor of the College, a post which, as has previously been said, he held until his death in 1845.

On the 20th July 1805, Thomas Allen, the Master of the College, died, and was succeeded by William Allen, the Warden.

Thomas Allen had been a member of the College for fifty-three years, having been elected Warden on the 13th July 1752, becoming Master on the 21st June 1775, thus occupying the position of Warden for nearly twenty-three years, and that of Master for upwards of thirty years. Nothing is known of his family, and nothing of himself, except as recorded in the College books. It has already been stated that he had previous to his election as Warden been a malt factor; during his connection with it the College affairs had certainly prospered, the dividend which he found at £950 had increased to £3875 at his death, and scarcely any quarrels amongst the Fellows seem to have occurred during the later years of his life. It seems somewhat strange that no permanent record of so long a Mastership was made by the College, his death being passed over in silence, and no resolution on the subject appearing either in the audit or the Private Sitings books.*

* He was a very small man, being known generally in the neighbourhood as the Little Old Master.

CHAPTER XII.

THE HISTORY OF THE COLLEGE, 1805-1820.

WILLIAM ALLEN, the Warden, having become Master by the death of Thomas Allen on the 20th July 1805, an election was held on the 5th August, when Lancelot Baugh Allen, of the Inner Temple, barrister-at-law, was chosen Warden, having drawn lots with Mr. William Allen, of the Bank of England. There were fifteen candidates.

It is noteworthy that between an entry in the Private Sittings book, dated 12th July 1805, appointing Mr. George Tappen surveyor to the College, which was the last signed by Thomas Allen previous to his death on the 20th July, and an entry of the election of Mr. Corry as usher on the 28th April 1806, two pages have been cut out of the book.

These two pages in all probability contained the record of the election and admission of Mr. L. B. Allen as Warden, and the reason of their being taken out seems to have been that they contained a record of the fact that the new Warden received the Holy Communion.

Mr. Giraud, organist from 1834 to 1857, possessed a manuscript copy of the statutes, which is now in the British Museum (add. MSS. No. 29479B), on the alternate blank pages of which he has made several pencil notes, and against Statute No. 22, which ordains that the Warden and Fellows are to receive the Holy Communion, and to be afterwards admitted and conducted to their lodgings, he has the following:—"And if not (*i.e.* "receive the sacrament) what penalty? Vane* never did, as he says; "Baugh Allen did, and after it had been entered into the Private Sittings "Book, the leaf could never be found again from the time of his Master- "ship. So learned I from late Master and Vane."

Mr. Baugh Allen's objection to its being known that he had received the Holy Communion seems to have arisen from the fact that such an act was inconsistent with the opinions he held and expressed. His successor held similar views, and the then preacher, Mr. Howes, seems to have taken the unusual course of omitting the sentences of consecration when he was about to be a communicant.

A gentleman still living, who was connected with the College in Mr.

* John Vane, schoolmaster, 1818-1848.



A view on Dulwich Common.
J. Dillon del
1784.

Howes' time, writes: "On one occasion when I was present I abstained, "owing to Mr. Howes the celebrant having omitted the sentences of "consecration. I mentioned this afterwards to Mr. Chafy,* who admitted "the fact but offered no explanation. The Master was present, and I "have a vague impression that he entertained atheistical notions."

The new Master appears to have made an alteration in the hours of dining and schooling, for the following are his first entries in the Private Sittings book:—

PRIVATE SITTINGS 26TH JULY 1805.

It was moved and agreed that the Dinner in the Parlor be always on the Table at Three O'clock

WILL^M. ALLEN
THO^S. JENYNS SMITH
NEVILLE STOW
CHA^S. BRENT BARRY.

At the same time it was moved and agreed that the Hours of School be as follows.

From Lady Day to Michaelmas
Six to Ten; Twelve to Two; half-past Three to Five.
From Michaelmas to Lady Day
Seven to Ten; Twelve to half-past Two.

And that the Boys shou'd Dine, from Lady Day to Mich^r. at Two o'clock; & from Mich^r. to Lady Day at half-past Two: except on Holy daies & Holy day Eves, when they shou'd dine at Twelve.

WILL^M. ALLEN
THO^S. JENYNS SMITH
NEVILLE STOW
CHA^S. BRENT BARRY.

At the same time it was moved and agreed that the Master's Rooms be put into a proper state of repair at the charge of the College.

In the parliamentary session of this year a measure of great importance to the College received the Royal assent. It is entitled "An Act for "Inclosing Lands in the Manor of Dulwich, in the County of Surrey." After reciting that Dulwich Common and certain waste grounds within the manor of Dulwich, containing one hundred and thirty acres or thereabouts, are, as regards the soil, the property of the College as lords of the manor, and are in their present state incapable of improvement, but if divided, and specific parts or shares thereof allotted to and amongst the several persons interested therein, and such allotments inclosed, great advantage would arise to all parties concerned, the Act proceeds to appoint three Commissioners, viz. Robert Boxall of Parkhill, Croydon; Thomas Cawter

* Usher, 1836-1857.

of Cobham; and George Tappen, of John Street, Pall Mall, with power to appoint successors in case of any vacancy.

These Commissioners are to allot to the College "such part of the said Common and Waste Grounds hereby directed to be divided and allotted, as shall in the judgment of the said Commissioners be equal in value to One sixteenth Part of the said Common and Waste Grounds: and the said Allotment or Allotments shall be a full Compensation and Recompense for the Right of the Lords of the said Manor in and to the soil of the said Common and Waste Grounds."

The residue of the said common and waste grounds is to be "allotted unto and amongst the several Persons, Bodies Politic, Corporate or Collegiate, who shall be entitled to any Estate, Property, or Interest therein, according to their respective Rights and Interests, in such Quantities, Shares, and Proportions as by the said Commissioners shall be adjudged and declared to be a Compensation and Satisfaction for their several and respective Rights of Common and other rights or Interests."

These allotments are to be "held by such Proprietors under the like Rents and services as the Lands Grounds and Hereditaments in lieu of or in respect of which such Allotments shall have been made, were respectively held at or immediately before the making such Allotments respectively."

The College being not only lords of the manor, but also freeholders of all the lands interested with the exception of a very small part which was copyhold, thus practically entered into possession of the whole of the land allotted, which was then of considerable value, afterwards much enhanced by the passing of an Act authorizing the College to let their lands on building leases for long terms, notwithstanding the statutory restriction of leases to twenty-one years.*

On the 15th November 1805 the signature of Mr. L. Baugh Allen, the Warden, appears for the first time in the Private Sitzings book, the principal business transacted being the ordering of one pipe of wine for the use of the College "at the house of Hopkins Giles & Co."

At the Private Sitzings on the 1st March 1806 it was ordered "that Mr Tappen (the surveyor) do cause the Boundary Stones to be placed on the land of the College adjoining the Champion Hill Road, to denote the quantity of Ground laid into that road, which is part of and belongs to the College; and that on each stone be specified the number of feet which the College property extends Eastward, from such stones."

* The present Dulwich College (opened 1870), with its gardens and playing fields, occupies about 40 acres of the old common. Trees in clumps were planted thereon in 1812 under an agreement with Mr. Lett (see *post*, p. 345).

At the audit on the 4th March 1806, there was due to the College £4011. 2s. 9d., and £4000 was distributed as dividend.

On the 7th March it was ordered at Private Sittings, "that M^r James be desired to survey the College estate and report what improvements may be made thereon."

About this time it seems to have occurred to the Society that the considerable balance in the hands of the Warden might advantageously be put out at interest, and the following minute was made at a Private Sitting on the 2nd May 1806 :—

Whereas in the College accounts settled at the Audit the 4th day of March last, the Warden stands charged with a Balance of Cash as being in his Hands, belonging to the College, amounting to £2504. 9. 5 ; Now it is hereby acknowledged, by the Master, Warden, & Fellows of the College, that the sum of £953. 5. 6 part of that sum has been invested (along with £100 out of the Treasury Chest) in the Purchase of £1700 Cons^d. £3 pr cent Bank Annuities in the name of the Master Warden, 1st and 2nd Fellow ; And that the sum of £682. 9. 0. has been also advanced out of the Wardens Cash for the purpose of the Inclosure of the Common and to be accounted for by the Master and it is declared that the Warden is not personally responsible for the above two sums of £953. 5. 6 and £682. 9. 0 although included in the Balance of £2504. 9. 0 as settled at the Audit and nominally charged against him for the purpose of keeping the accounts of the College in the accustomed way.

It was further agreed,

That the annual Dividend of the £1700 Stock in the 3 per cent Consol^d. Bank Ann^{ts} standing in the names of the Master, Warden, 1st and 2nd Fellow of the College, Purchased with the £100 out of the Treasury Chest and £953. 5. 6 part of the Wardens Cash Balance and producing £51 per an: be applied as follows : The Sum of £5 per ann: as the Interest of the £100 out of the Treasury Chest for the Improvement of the Library for the general use of the College and the sum of £46, residue thereof to be divided between the Master, Warden and four Fellows in six equal parts for their own use. That the Dividend which accrued due in Jan^y last be the first Dividend so applied, and that the future Dividends be applied in the above manner as they become due half yearly in Jan^y and July each year.

This practice of dividing the interest on the money, or part of the money, in the Warden's hands between the Master, Warden, and Fellows, to the exclusion of the rest of the Society, whether justifiable or not, continued for some time.

At the Private Sittings held on the 6th June 1806, it is recorded that " Much Inconvenience having arisen to the Society by the delay of business " on Friday through the Introduction of strangers to the College Table : " It is agreed that in future no stranger or other Person unless for some " particular cause relating to the Society be that day admitted. And it is " particularly recommended that no Member absent himself that day, as it " is set apart for the transaction of business."

It was also ordered on the same day, "That for the present One Dozen of Wine be given out every week to the Butler for the consumption of the College viz^t Nine of Port & three of White."

On the 11th July 1806 the dinner-hour was changed from three to four o'clock; and on the 23rd January 1807 the hours of Divine Service in the chapel on Sundays were fixed at 10 o'clock in the morning from Lady Day to Michaelmas, and at half-past 10 from Michaelmas to Lady Day, and at 2.30 in the afternoon.

It appears that many tenants had built or substantially repaired houses on the estate, in reliance upon the order passed at the audit on the 4th September 1793, pledging the College to renew their leases for two several periods of twenty-one years each. The whole arrangement being not only unsatisfactory but also illegal, on the 29th September 1807 an agreement was entered into between the College on the one part and the several tenants (twenty in number) who had so built or repaired, on the other part, which,

After reciting that the said several persons had applied to and requested the Master, Warden, Fellows, Brethren, Sisters and Scholars, in consideration of the great costs and charges which the said several Persons or those from whom they had respectively purchased the same, had been respectively put to, in erecting and building on those Parts of the Estates of the said College of God's Gift mentioned and specified in the schedule under written the several capital messuages or Tenements and other Buildings in the same schedule also specified to grant them respectively Leases thereof for a long term of years upon the Terms and conditions therein mentioned, but inasmuch as the said Master, Warden, Fellows, Brethren, Sisters and Scholars were restricted by the statutes of the said College from granting Leases for any longer term than twenty one years, it was thereby mutually covenanted, declared and agreed by and between the Parties thereto, and the said Master, Warden, Fellows, Brethren, Sisters and Scholars did thereby covenant with the said several abovenamed Persons and their respective Executors, Administrators and Assigns that they the said Master &c. would apply for an Act of Parliament to authorize and empower them to make, grant and execute a Lease or Leases to such several Persons respectively and their respective Executors, Administrators and Assigns of the several Pieces or Parcels of Land and Hereditaments in the schedule thereunder written, situate, lying and being in the said Parishes of Saint Giles Camberwell, and Saint Marys Lambeth in the County of Surrey with the capital mansions, Messuages or Tenements, offices and other Erections and Buildings thereon erected and built by the said several persons &c &c; and lastly the said several persons therein before named did respectively agree to accept and take such leases respectively of the Premises mentioned and specified in the said schedule for the said Term of sixty three years from the Periods and at and under and subject to the Covenants, Conditions and Agreements contained and expressed in such leases so to be granted as aforesaid.

In accordance with this agreement the College did apply to Parliament, and on the 18th June 1808 the Act 48 George III. cap. 116 was passed,

the title being, "An Act for enabling the Master, Warden, Fellows, "Brethren, Sisters and Scholars of the College of God's Gift in Dulwich "in the County of Surrey, to grant a Lease or Leases of certain estates "belonging to the same College in the said County pursuant to an agree- "ment entered into for that purpose, and also to grant Building Leases "of other parts of the same estates, and for other Purposes therein "mentioned."

The Act recites the Letters Patent of King James I., the foundation of the College by Alleyn, the fine levied on the estates to the use of the College, the statute relating to the letting of the lands on leases for twenty-one years and no more, and that forbidding the letting of the coppices and of the land formerly tilled by the College, and proceeds:—

And whereas many Parts of the said Estate and Lands of the said College, including the said Coppice or Woodlands, as also Part of the Lands lying near to the same College, are very eligibly situated for building thereon, which Building would greatly increase the Value of the College Estates and further the benevolent Design of the Founder: but by reason of the said statutes the College are restrained from managing their Estate to the best advantage, and the Estates of the said College have not improved in the same Proportion as the Estates of Individuals, notwithstanding they are subject to the progressive encreasing and necessary Burthens, and to the encreased Price of every Article of Life, and in many Instances (as being a corporate Body supporting a large Establishment) to more than an equal share. And whereas notwithstanding the said College are restrained from granting Leases for a longer Term than Twenty one years, yet many persons have been induced to build valuable Houses on the Estate thereto belonging, and to rebuild others, trusting to the Honour of the said College and their good Faith not to take any undue Advantage; and other Persons might be induced to do so, but such Tenure is precarious and unpleasant to both Landlord and Tenant and may be the Source of Litigation and Dissention, and more especially as Land so let will not produce to the said College the Rental that it otherwise would, and that a private Individual might fairly expect.

The Act then recites the agreement already quoted, and proceeds to enact,—

1°. That the College may grant leases of their premises for 63 years from the dates mentioned in the schedule, to all the parties to the agreement.

2°. That the College may let the rest of their property including the woods and the land in hand, (all of which are enumerated in the second schedule) on building leases for 84 years at the best rent obtainable, and without fines.

3°. That the College may extend the terms of the leases of the persons in the first schedule for a further term of 21 years (in addition to the 63 mentioned in the first clause) in consideration of a fine to be paid by the tenants.

4°. That the monies arising from the fines or Premiums so to be received shall be applied in repairing the College or in rebuilding the same either on the present site, or on such other part of the Estates as the Visitor for the time being shall approve.

The schedules to this Act are of some interest, particularly to the

inhabitants of Dulwich, as they together form a terrier of the College property, and in many cases contain the names of well-known tenants; they are consequently inserted entire.

THE FIRST SCHEDULE TO WHICH THIS ACT REFERS.

Lands in the Parish of Saint Giles Camberwell in Surrey.

Lessees Names.	Lands and Premises to be devised.	Commencement of Term.	Rent.
John Adcock.	A messuage and offices in the Village of Dulwich with the Garden and Ground containing two Roods and seven poles (now Dr. Ray's).	Michaelmas 1796.	£4
Edward Browne.	A messuage, Cottage, Stables, Outbuildings and Garden behind, in the Village of Dulwich containing One acre Two Roods and Three Poles (now Rose Cottage).	Michaelmas 1794.	10
James Bartlett.	Three Dwelling Houses at the Entrance of Dulwich, and two Roods of Land (now the Police Station and adjoining houses).	Michaelmas 1805.	5
John Bowles.	A messuage and offices on the North Side of Dulwich Common with Pleasure and Garden Ground, containing Four acres and two Roods (now Ryecotes).	Lady Day 1787.	27
Richard Henry Clarke.	A messuage with offices, and Outbuildings, Paddock and Ground, in Dulwich, containing eight acres two Roods and eight Poles (formerly the White House, now St. Austin's).	Lady Day 1790.	47
John Druce.	A messuage and offices on the North Side of Dulwich Common, with Garden behind and Ground opposite, containing Six Acres (now Glenlea).	Lady Day 1804.	30
Nathaniel Bogle French.	A capital Messuage and Offices in his occupation adjoining the Road to Ireland Green in	Michaelmas 1800.	68

Lessees Names.	Lands and Premises to be devised.	Commencement of Term.	Rent.
David Gordon.	Dulwich with Pleasure and Garden Ground, containing Ten acres (now Springfield). A capital Messuage, Offices and Lodge, Gardens and Ground on Dulwich Hill, containing Twenty two acres, and Thirty three Poles (now Dulwich Hill House).	Michaelmas 1800.	£130
Thomas Griffith.	A messuage and Offices in his occupation near the Entrance of Dulwich, with Garden, Orchard, and Paddock containing Six Acres Three Roods and Seven Poles (now The Hall).	Lady Day 1795.	30
Sarah Hucks.	A messuage and Garden in the Village of Dulwich containing Twenty six Poles, with Offices and Ground opposite: containing One acre One Rood and four Poles (now Woodlawn).	Lady Day 1794.	10
Charles Frederick Hennings.	A Messuage and Offices adjoining Dulwich Common on the Road to Sydenham, with Gardens and Ground containing 2 ^a . 2 ^r . 25 ^p . (now Toksowa House).	Michaelmas 1803.	104
George Harris.	A messuage, Offices and Garden adjoining Hall Place, on the West Side of Dulwich Common containing 3 ^r . 8 ^p .	Michaelmas 1790.	8
David Lyon.	A capital Messuage, Offices and Lodge, Gardens and Ground on Dulwich Hill containing 20 ^a . 1 ^r . 3 ^p . (now Sir H. Bessemer's).	Michaelmas 1800.	120
Henrietta Lawrence.	A Cottage, Barn, Garden and Ground on Dulwich Hill containing 2 ^a . 3 ^r . 8 ^p . (now Elm Lodge).	Michaelmas 1800.	21
Peter Martineau.	A capital Messuage and Offices on Dulwich Hill, with Gardens and Pleasure Ground containing 8 ^a . 3 ^r . 0 ^p . (now Hill Lodge).	Lady Day 1804.	43 10

Lessees Names.	Lands and Premises to be devised.	Commencement of Term.	Rent.
Richard Shawe.*	A capital Mansion and Offices on Dulwich Hill, with Gardens and Pleasure Grounds containing 15 ^a . 1 ^r . 6 ^p . (The Casino).	Michaelmas 1800.	£80
Same.	A messuage adjoining Ireland Green in Dulwich, with Out-buildings, Garden and Pleasure Ground, containing 3 ^a . 2 ^r . 0.	Lady Day 1803.	28
Anthony Sterry.	A messuage and Offices in Dulwich, on the North Side of the Road to Sydenham, containing 3 ^a . 0 ^r . 37 ^p . (The Elms).	Michaelmas 1796.	20
George Sharpe.	A capital Messuage and Offices on Dulwich Hill, with Out-buildings Gardens and Pleasure Ground containing 7 ^a . 0 ^r . 0 ^p . (now Rydal Mount, Champion Hill).	Michaelmas 1807.	50
John Willes.	A capital Messuage and Offices on the West side of the College in Dulwich, with Cottage or Farm House, Canal, Gardens, Pleasure and other Grounds containing 46 ^a . 3 ^r . 24 ^p . (Belair).	Michaelmas 1785.	230
William Wood Watson.	A capital Messuage in his own Occupation on the South side of the Road leading from Denmark Hill, with the Garden and Pleasure Grounds, containing 8 ^a . 2 ^r . 7 ^p , part of the Ground lying in Camberwell Parish (now Mr. Walter W. Druce's).†	Michaelmas 1794.	48
Same.	A messuage and Offices on the South side of the Road leading from Denmark Hill, late in the Occupation of Benjamin Tomkins, with Garden and Pleasure Ground containing 1 ^a . 3 ^r . 0 ^p . (now Mr. F. W. Koebel's).‡	Michaelmas 1807.	24

* Mr. Shawe was solicitor to Warren Hastings. This house has since been inhabited by Prince Joseph Buonaparte, Lord Montague, the Prussian Ambassador, and Mr. W. H. Stone, M.P. It is now the residence of Mr. W. S. Gover.

† Previously Mr. Ruskin's.

‡ Previously Mr. W. Cross's.

THE SECOND SCHEDULE TO WHICH THIS ACT REFERS.

The Manor of Dulwich, viz.

	a.	r.	p.	
The Common	110	0	0	
The Wastes	11	0	0	
The Coppices	206	0	0	
The Avenue	1	3	0	
Round Green and Nursery	2	3	39	
Home Field, Grove Field and Field adjoining	14	2	25	
The Scite of the College, Courts, Yards and Gardens, in case the College shall with the Approbation of the Visitor, be rebuilt upon any other Scite	4	2	31	
In Hand	351	0	15	
	a.	r.	p.	
Two Fields in the Occupation of Peter Martineau adjoining the new private Road	13	3	37	£50 0 0
A Field adjoining the new private Road in the Occu- pation of David Lyon	6	0	0	23 0 0
A messuage and four fields, in the Occupation of Charles Clarke and Richard Shawe	12	1	18	51 0 0
A Field adjoining the new private Road in the Occu- pation of Thomas Griffith	9	3	20	37 17 0
A Messuage in Dulwich and five Inclosures in the Occupation of William Parry	20	2	0	84 0 0
Two Tenements near the Common, and Three In- closures near the private Road to Penge, in the Occupation of James Bartlett	23	2	28	39 0 0
Ten Messuages, Windmill, and a Meadow on lease to James Lee and William Jenkins	2	3	35	17 3 0
Tenement and Garden in the Occupation of Judith Holloway	0	1	21	14 0 0
Two Messuages and seven Inclosures in the Occupa- tion of Clarkson Palmer and his Under Tenant	31	1	37	100 0 0
Dulwich Court Farm late Coleman	51	0	13	
Two Fields by the Gypsey House ditto	12	2	23	
Two Messuages, Blacksmith's Shop, Stables, Tenements and Meadow ditto	2	1	2	
	65	3	38	104 3 0
A Field called Brownings, in Dulwich Village, in Occupation of Samuel Bradley	7	3	2	40 15 0
Two Fields by the Turnpike on the Common in occu- pation of John Corner	12	2	14	63 0 0
Four Fields adjoining the Common late in the Occu- pation of Isaac Wheeler	29	1	16	117 0 0

	a.	r.	p.	
Message and Field in the occupation of Charles Brent Barry	4	3	26	£40 0 0
The Crown Public House, let to Isaac Ellis with two Dwelling Houses and small gardens	0	1	0	20 2 0
Message and Garden in the Occupation of Rebecca Fawke	0	2	30	20 0 0
Eight Messuages and two Inclosures let to Benjamin Tayle and Mary Adams	9	0	15	50 0 0
Two fields adjoining Dulwich Court Lane in the Occupation of John Adecock	7	0	15	26 0 0
A message let to William Billiter	0	1	29	3 0 0
Two messuages near College let to Isabel Adams	0	1	7	30 0 0
Three meadows adjoining and near to the Back Lane in Dulwich, in the Occupation of Sarah Hucks	11	3	0	38 0 0
Five Inclosures and a piece of waste near Dulwich Court Lane, in the Occupation of Edward Browne	35	1	24	77 0 0
A Tenement, Three Cottages, Shop, Gardens and Small Meadow, and a field by Croxtead Lane, let to Thomas Turk	9	3	26	52 0 0
A message, Two Cottages, and Five Pieces of Land, let to Thomas Wright	16	1	15	40 0 0
Five Fields adjoining Lordship Lane, lately on lease to Thomas Griffith	42	2	22	63 0 0
Message and Field near Lordship Lane in the occupation of William Glennie	10	0	21	60 0 0
A cottage and Garden in Lordship Lane in the Occupation of M ^r Stedman	0	0	18	0 1 0
A message and seven Inclosures in the occupation of Percival North	52	2	5	138 0 0
Four Inclosures, in the Occupation of John Jephson	34	0	30	53 12 0
Several Tenements near the Common and Three fields near Sydenham Hill let to William Oxlade	19	2	14	36 0 0
Three fields, in the Occupation of Sarah Bond, near the Common	46	2	13	97 17 0
Private Road and Two Fields, in the Occupation of John Scott, leading to Penge	23	2	13	38 0 0
Two Fields, in the Occupation of James Marshall	19	1	0	27 10 0
Three Fields, in the Occupation of George Harris	13	1	1	24 0 0
A message and Four Fields adjoining the Common, in the Occupation of William Orme	18	3	13	33 0 0
A message and four fields adjoining Dulwich Common, in the occupation of Daniel Stowe	21	1	4	70 0 0
Eight Messuages on the North Side of Dulwich Common and Four Fields, on lease to Samuel Browne and Alexander Glennie	21	1	12	72 0 0
Stable and Coach Houses late D ^r . Allen's near the Common	0	0	12	0 10 0

	a.	r.	p.			
Message and Three Fields, let to Fleetwood Bury	18	2	11	£48	0	0
Message and Fields adjoining the Common and Crox- tead Lane in the Occupation of Robert Brettell	12	0	3	32	0	0
Four Messages and Meadow near the Common, let to Elizabeth Thorp	2	2	13	32	0	0
Two Messages and Five Inclosures let to John Ayearst	21	3	11	75	0	0
The Greyhound, Nine Messages and a Meadow, let to Robert Boxall	8	2	28	30	0	0
Seven Tenements, let to M ^r Shawe and M ^r Hughes	0	1	5	13	0	0
A message and Land in Dulwich let to M ^r Rix	8	2	33	30	0	0
Two Fields in the occupation of Richard Henry Clarke A message and three Fields at Ireland Green, and Two near Croxtead Lane, let to William Hudson	7	0	38	9	0	0
The Half Moon Public House and a. r. p. several Inclosures of Meadow Land	37	1	9			
Two Tenements and Garden on the Waste, let to Nathaniel Bogle French	0	2	9			
	37	3	18	138	0	0
Two Messages and Land near Ireland Green let to George Whitfield	16	0	18	63	0	0
A Field adjoining the Sydenham Road in the occupa- tion of John Bowles (now part of Ryecotes)	4	1	35	7	0	0
A message on the North Side of the Common and a Field, in the Occupation of Samuel Lancaster	8	3	26	30	0	0

In the Parishes of Camberwell and Lambeth intermixed.

One Inclosure adjoining Champion Hill in the occu- pation of M ^r . Gonne	0	3	31	5	0	0
Eight Tenements near Champion Hill let to Theophilus Lightfoot, and Land in the occupation of M ^r . Croughton	3	2	27	12	0	0
A Field in the occupation of George Sharpe, adjoining Champion Hill	1	3	25	10	0	0

In the Parish of Saint Luke, Middlesex.

Four messages in Golden Lane						
Two messages behind the Lane						
Twenty four messages in Playhouse Yard						
Three messages in Swallow Alley						
Eight messages in Parrott Court						
Two messages in a Passage						
Four messages in Whitecross Street						
Total Forty Seven:—all let to David Bucklee, and mostly occupied by weekly Tenants at One Rent of				200	0	0
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The provisions of this Act were put in force without loss of time, for at the audit held on the 5th September 1808 Mr. Thomas Lett surrendered the lease granted to him on the 28th November 1806, and took a new lease for eighty-four years of two cottages and ground, with some waste land near Ireland Green, at a rent of £12. 2s. per annum, covenanting to spend £700 in the erection of six or seven substantial cottages; Mr. Charles Druce also surrendered a lease formerly granted to Alexander Luders, and obtained a new one of eighty-four years at £10 per annum of an old messuage adjoining his dwelling-house, with the garden behind the same, agreeing to pull down the said messuage and erect other substantial buildings.

A lease was also granted to Mr. Charles Druce, and Mr. George Tappen, the surveyor, of some old tenements on the north side of Dulwich Common, for eighty-four years, at £6 per annum, they covenanting to lay out not less than £1000 in erecting one or two substantial dwelling-houses on the site.

The passing of this Act had a most beneficial effect upon the revenue of the College, the dividend which on the 4th March 1808 had been £3760 increasing to £6500 in 1818, and to £8100 in 1828.

This result was probably owing to the activity shown by the Society, or by their steward and solicitor, Mr. Druce.

On the 8th July it was ordered,

That our Solicitor do write to the respective Tenants whose names are inserted in the first schedule to the Act of Parliament lately passed for extending our Term in letting lands for Buildings stating the Fines to be taken from each, and our determination to take no less than the sum fixed on between M^r James and M^r Druce.

On the 25th December 1808, Mr. James, who had been consulted on the 7th March 1806 as to the improvements which might be made on the College estate, issued the following full report:—

Having for the last two years had the improvement of this noble Estate in contemplation, and from time to time explained to the Corporation the different points to be attended to, it is with extreme satisfaction that I now reflect on the removal of the many obstacles to its progress.

The first principle which I recommended to the College was to do away all reproach of favouritism by obtaining from Parliament a power to give those assurances *legally* which were at the time merely honorary, and to all parties unsatisfactory, and in all future Treaties with the Tenants, to deal with them on terms of the strictest impartiality. This, as might be expected, occasioned a momentary movement of discontent amongst the Tenants, but with the most sensible part it soon subsided, and now I trust the College is convinced of the propriety of this line of conduct, which will not only make the corporation more respectable but will add very materially to its Income. It will, moreover, render the situation of its officers infinitely more comfortable, by having defined lines of conduct laid down in treaties with the Tenants.

On this principle it was also, that I recommended a resource to be drawn by the fall of the decaying and mature Timber Trees, this of course occasioned some attempts at opposition and great complaints and dissatisfaction amongst Tenants, who, from a liberality in their Landlords bordering on weakness, had taken up fancied ideas of ownership, altogether arising from degrees of favouritism used in their treaties. These however thro' the impartial behaviour of the noble visitor and the firm conduct of the Members of the Corporation were resisted and are now in a great degree silenced.

The next measure I advised was that of obtaining a Bill for authorizing the College to grant their Lands on Building Leases, and legalize and renew the present existing leases; and in this Bill I recommended some Clauses to be inserted giving power to the Corporation to remove the College and let the Scite on Building Leases if hereafter thought adviseable. In Parliament this Bill was expected to be opposed but thro' the interest of the warden (M^r L. B. Allen) and the indefatigable activity and attention of their Solicitor, it was last Session passed into a Law, and under the warden's advice a Fund will be raised by the Fines on Renewals of at least £3000, to be employed in repairing or rebuilding the College.

By the line of conduct adopted by the College and by virtue of the Powers of this Act, a very different aspect the affairs may be expected shortly to assume. The Tenants, who have always been jealous of the Members, and envious of each other, being all put on an equal footing will now be convinced that equal justice is done.

PRESENT STATE.

Soil and Minerals.—The soil is principally Argillaceous, on the summit are deposited Beds of silicious Gravel, but on the base of the Estate the soil becomes friable and Silty, and in some places a deep hazle or vegetable Loam. So near to the metropolis where all descriptions of Manure can be had at an easy expence, the Land may be made extremely fertile, but from the practice of sowing White Straw Crops in succession, and carrying off the produce, some parts are extremely impoverished. Both Gravel, Sand and Brick Earth are to be met with in the Coppices on the summit and the latter in various parts of the Estate and these are the only Minerals of value in the Estate within a distance to be recovered at a profit.

Waters and Springs.—The soil being principally Argylaceous the Springs arising in the Estate receive the water from their alternate layers of Gravel and Sand, and consequently their supply must be very scanty. At a considerable depth in a Stratum of Blue Argylaceous Marl called Blue Golt, will be found a Chalybeate Spring, impregnated with Sulphur and Iron, but owing to the depth at which it lies and the Argylaceous nature of the Soil I am not aware of its appearing at any place on the surface of the Estate.

From the range of Alluvial Hills dividing Surry from Kent, the Rains form an intermittent Stream, the course of which divides this Estate from Lambeth & Streatham and this is the only Stream: indeed, a want of water appears the only inconvenience the Estate is subjected to.

Woods and Plantations.—The woods and Coppices, since the introduction of Coal, are no longer necessary for the supply of Fuel for the College, and on this account in the last Bill a Clause was introduced impowering the College to grant the same or a part thereof on Building Leases. The produce of this Land does not give an Annual

profit of more than 15/ per acre, and being at a great distance from the College it is very liable to depredations.

Timber and Fences.—The selection of Timber for falling has materially improved the Scenery of the Estate and especially in the neighbourhood of the College, but it is proper still further to continue the Selection especially about the village. The Fences should be attended to and in proper situations at the Angles of the Fields. Plantations should be made, and in general thro' the whole Estate the Ditches want opening and cleansing to take off the surface water.

Buildings.—The Mansions and villas built by some of the Tenants may vie with any in the Kingdom for Beauty, Elegance & Substantiality. From those Tenements whose Terms have lately expired and are expiring, an idea may be formed of the former state and condition of the Buildings, and the vast increase of the value of the Estate by the recent Grants and the Power which the College has now acquired of legalizing these Grants for 84 years, will tend to promote the erection of elegant and substantial Buildings and consequently to the Improvement of the adjacent Estate.

The College itself is in a state of decay and part of it must of necessity be taken down and rebuilt. The Era is also fast approaching when other parts will be decaying and the consequence will be that a considerable expence will be annually incurred in keeping up and repairing the same.

Tenants and Tenure.—The College having adopted a line of equal conduct towards its Tenants, and having granted Leases to such of them who had expended large sums in Buildings, their connection with them will now be much more respectable and independent than it has heretofore been, and the relative duties will by both parties be much better understood and discharged. But where from its adjacency to and connection with London a change of Tenants is continually taking place, and it is highly expedient that great attention should be paid to the repairing and upholding (and also to the ornamenting) of the different residences and Villas erected and to be erected on the Estate: for this purpose it cannot be too strongly recommended to the College that their Architects and Building Surveyors, should at least every two years, view and report on the Buildings erected on the College, and also view every Building in its progress of Erection to see that the Work is done in so substantial a manner, and that the materials used are so permanent and durable, as that the Fee of the Estate is likely to be improved by the Erections. To the want of this attention formerly may be attributed the miserable Erections now standing in some parts of the Estate, which on the determination of the Leases, present nothing to the College but a Shadow; for tho' all is fair without, like a sepulchre, the Erection contains nothing but rottenness and decay within.

PLAN FOR IMPROVEMENT. PRELIMINARY OBSERVATIONS.

It is always a reluctant duty which a professional Man has to discharge when concerned for numerous Principals, for in all Theories, especially on matters of taste and policy difference of opinion even amongst the best informed and best disposed men most frequently arises, and an Agent however anxious he may be to serve his Principals feels his zeal much abated by being continually called upon to explain and frequently opposed, on almost every point which he considers necessary to be adopted. Where the whole Estate is vested in Principals these obstacles will occur: but professional Men are also retained by Persons who from their avocations, habits and

pursuits in Life cannot by any possibility be very much acquainted with their professional principles and practice and where even the parties themselves have only a limited Interest. It must be obvious that in this case where my Principals (chiefly clergymen) have only Life Interests, I have not a very pleasant sphere of action, neither is it rendered more delightful by the disposition of some of the Tenants and the circumstance of their being now made in a great degree independant of the College. It also sometimes happens that the interest of the life Tenants and of the Remainder Men are not reciprocal, but I do not perceive that there is any cause for Jealousy on that point having carefully kept in view the Interests of all Parties: the present possessors, the future Members and the objects of this the Founder's Charitable Institution. Essentially to serve a Principal, by carrying a point in negotiation, it is frequently necessary to connect other situations; the professional appointments I have the Honor to hold under his Grace the Archbishop of Canterbury, the visitor of the College, Earl of Dartmouth and the Trustees of Lord Thurlow may have created jealousies in the minds of some of my Principals. These ought on no account to exist, for, I can solemnly declare, that was I not convinced that the Interests of my respective Principals were reciprocal and my ability to serve the College increased, I would instantly have relinquished these engagements. But the perverseness of human nature will sometimes induce persons to refrain from benefiting themselves, lest another may also be benefited; this sentiment I am clear does not belong to any member of the College.

GENERAL REMARKS.

The Estate for its Intirety, the beauty and variety of its views, occasioned by the gentle slopes and Undulations of its surface, is scarcely in those respects to be equalled, and certainly not exceeded by any Property in the neighbourhood of London; bounded on the North by the Camberwell, on the East by the Peckham and on the South by the Sydenham Hills, it is embosomed in a rich and fertile vale, whose surface is varied by detached eminences and is thus secluded by its situation from the pageantry of the gay Metropolis, from the bustle and activity of Trade and Commerce, from the noisome air of manufactories and the "busy hum of many men."

The Estate presents the most desirable situations for numerous villas, which from its variety of Undulations may be made intire in their views, but it will be necessary to introduce many Roads and lines of communication to give them this Property, there are also two situations most desirable for the erection of a number of Houses as Villages being the points at which many Roads and Lines of Communication meet, and these appear to be the ultimate destination of the Property, and which will produce the greatest income to the College without any great advance of Capital. The means by which this Income can be acquired are,

By Drainage

By Roads or Lines of Communications.

Mr. James then discusses at length the drainage of the village of Dulwich, which he pronounces "to be very defective, and proposes a plan of "main drainage, which, if the whole of it was to be covered, would cost "£912. 14s., but if, as he considered practicable, a considerable part of it "was to be open drain, the expense would be only £540. 16s."

Roads.—The question of new roads is then entered into fully. Mr.

James reports the negotiations which he had conducted with the Lambeth Commissioners in order to induce them to somewhat alter the directions of the roads they were making, so that those he contemplated recommending to the College might become continuations thereof. He complains bitterly that the Lambeth Commissioners, after agreeing to his suggestions, and so preventing any opposition to the enclosure of Hall Lane on the part of the College, had broken faith with him, and determined that no alteration whatever would be allowed to take place in their intended line of road.

He then proposes to make five roads intersecting the College estates, by which a large number of sites suitable for villas would be opened up, and an annual ground rent of £600 obtained.

Of these new roads,

No. 1 started at the top of Champion Hill, following very nearly the course of the present (1888) Green Lane, and then traversing the estate from north to south, crossed Court Lane near Dulwich Court Farm, and finally joined Terrace Road, now Sydenham Hill, on the borders of Surrey and Kent.

No. 2 started on the east side of the old College gate, ran through what is now the Dulwich Park, crossed Dulwich Common Road close by the present lodge of Ryccotes, and thence skirting Dulwich Wood, joined No. 1 at the top of the hill.

No. 3 was an extension of the approach to the Grange, continued up the hill till it joined No. 2.

No. 4 started from the Common (south-west corner of the present College playing fields), and ran through Kingswood till it left the estate near the site of the Crystal Palace.

No. 5 followed at first almost exactly the line of the present "Union Road," and continued a southern course towards Gipsy Hill.

Mr. James' report proceeds :—

I advise a Chapel to be erected at the entrance of this line or street exactly opposite the present College and to be built in a corresponding style of architecture. The Duty might be discharged by the Ecclesiastical Fellows and an increased stipend might be allowed for this extra duty: the expence of this erection (some Timber being allowed from the estate) I think could not exceed £2500, and it is not too much to expect that the seats and sittings would produce after all Stipends, Salaries, repair and expences were deducted £300 a year: Surely this expenditure of Capital would be prudent and by this means the Establishment might retain its present situation being repaired and ornamented and proper out offices erected.

The situation of this Town or Village would then be on a triangle, two limbs diverging on a base fronting the south and open to the Common and the old Inclosures, affording by its intersecting communications a free circulation of air and by its elevation a sufficient drainage.

I recommend this Common to be always kept *an open Pasture* fenced by a Post or Rail against the Roads only and to be used as a key. This will be a great convenience to the Inhabitants and yield considerable Income to the College. By this respectable Persons will be induced to build respectable Villas on its margin and the neighbourhood will become most genteel and select. The situation of Herdsman might be filled by some one of the old men, and the Common put under proper regulations, or if this was thought objectionable a right to depasture a Cow or Horse might be granted to the Families residing round the Common.

By the excavation of Brick Earth along the front of the Common, Reservoirs might be made to receive the water to be enticed into them by the Ditches by the Road side from the North to the South, and thus interrupting all the Water which descends from the Hills over the whole Estate, giving a head of water for scouring of the Drains and for occasional supply of the Houses.

The scite at Camberwell Hill might also be let off for the erection of small Houses and an Income of £200 might be derived from that spot.

The land above the Terrace Road* should be let off in Plots of from 4 to 6 acres and will produce an Income of £600 in a few years.

The land immediately below the Terrace may be let off in Plots of from 10 to 15 acres and kept in Paddocks to give it a Parklike appearance. The Land adjoining should be let in small fronts, and giving greater depth so as to get a row of Houses built on both sides, from 1 to 4 acres is quite sufficient for each House; all the Land that is requisite being for a Garden, pleasure Ground and Paddock for Horses, and by this means the price of this Land will be enhanced, and thus indirectly a full Rent will arise from the Common Land.

The residue of the Estate I recommend to be let in Plots from 8 to 12 acres, and as the different lines of Road make these Plots intireties I cannot doubt they will be very soon let. It is however material to remark that great address and management are necessary in these negociations, and in the selection of tenants, in the first publishing of the business.

This is a matter of detail as well as the particulars of valuations and order in which the Land should be let, and therefore not necessary to be introduced in a general Report. It would be advisable to give every encouragement to Builders and for that purpose I recommend the College to allow the Tenants to make Bricks on their Land free from Royalty, to be only employed on the College estate. I have selected the situations for Cottages to be erected on the Estate.

Mr. James also recommended the erection of five cottages, three of which were to be used as toll-houses.

SUMMARY OF VALUATION AND INCOME ON BUILDING LEASE WHEN IMPROVEMENTS
ARE COMPLETED.

	a.	r.	p.	£	s.	d.
Section I. This Plot of Land bounded by the projected new Roads cont ^g	68	—	18	1017	7	—
II. A very valuable Plot of Land commanding beautiful views cont ^g	54	1	16	602	4	—

* Now Sydenham Hill and Crescent Road, but often in former years styled County Terrace, as dividing Surrey and Kent.

	a.	r.	p.	£	s.	d.
Sect. III. Plot of Land next Lordship Lane with the houses and Buildings thereon	56	1	21	792	18	11
IV. Plot of Land extending to the summit of the Estate and commanding the most extensive views adjoining the principal Roads .	136	3	37	1095	17	—
V. A very valuable Plot of Land in the centre of the Estate	37	3	37	493	15	1
VI. Ditto and with commanding situations thereon	51	—	—	611	—	—
VII. A valuable tract of Land commanding most beautiful and picturesque views	125	2	—	1129	10	—
VIII. Plot of Land in the centre of the Estate surrounded by the Principal roads and the common	100	2	3	1105	14	2
IX. Ditto adjoining Norwood	94	—	18	1035	4	9
X. Plot of Land comprizing the Common and abutting on Hall Lane	133	2	30	985	16	3
XI. Plot of Land surrounded by roads with Buildings thereon adjoining Common containing very valuable Plot of Ground .	38	—	30	518	5	—
XII. being interior of proposed Scite of new village surrounded by principal Roads .	40	3	12	1220	12	6
XIII. Do. in the centre of the Estate adjoining the above with valuable Houses therein & commanding views	77	3	5	1766	14	2
XIV. A large compact and valuable tract of Ground in the centre of the Estate situated between the Village & the Norwood Road having many capital Villas thereon .	216	1	6	1850	15	—
XV. A small compact plot of Ground on a pleasant declivity adjoining the Road to Norwood commanding beautiful views .	15	1	33	309	1	6
XVI. Large tract of most valuable Ground on the declivity of Denmark Hill having a Southern aspect and with several beautiful villas within 3½ miles of London .	143	2	35	946	14	—
Total	1390	3	21	15481	9	4

Total annual value Fifteen thousand four hundred and eighty one Pounds.

W. JAMES.

REMARKS.

This summary is made from data taken from the Estimate of Land now let for residence of 21 years Lease at rack rent and in hand of the College as soon as the Roads are completed so as to give the convenience of allotting the Lands for Buildings. These Roads should therefore be begun and prosecuted regularly till the whole are

completed, and an additional Fund may be raised for that purpose by the selection of Timber now at maturity and by sale of the Underwood.

The valuation is taken on Leases to be granted for 84 years, and I cannot entertain a doubt but that this Rental may in a few years be obtained. The improvement will however depend very much on the manner of negotiating the Lettings, and the caution preserved by the College in not exposing too much of their Business to the Public. I cannot entertain any doubt of obtaining this Rental if I am retained to conduct the Improvements and negotiations without the interference of any other Persons in these respects. Of course in all architectural and legal business I shall have no interference, the College having two most respectable Officers in these departments with whom I have hitherto had the happiness of transacting their Business on the most amicable terms.

New Boswell Court
25th December 1808.

W. JAMES,
General Land Agent.

Upon consideration of this report, the following resolution was passed at a Private Sitting on the 27th January 1809 :—

The report of M^r William James with the Plans annexed being submitted to the consideration of the House : they approve of that part of the Plan, which recommends a Road to be made from the Common thro' Round Green, up the Hill; and likewise the Road from thence thro' the woods, and order that it be referred to M^r James to report to the College the expense of making these Roads and to consider of the means by which the same may be raised so as not to diminish the present Revenue of the College and to give to the present members some portion of the increased Rental by improvement. The Society defer the consideration of the other parts of the Report and Plan for the present.

Ordered that M^r Druce do write to M^r James and confer with him on the subject.

This order was signed by the Master, Warden, and all the four Fellows, but the Master at some subsequent date not mentioned added the following memorandum :—

Having upon enquiry found, that if this Order was carried into execution, it would be attended by a present extreme expense of 3 or 4000£, I think it my duty as Master of the College, in order to prevent that great Expenditure to Revoke my Consent to the above order.

WILL^m ALLEN.

It appears that Mr. James endeavoured to have the roads made, notwithstanding this protest, and even offered to find the money, for on the 2nd May 1809, the following minute is made in the handwriting of Mr. C. Druce :—

Having received M^r James' Proposal in answer to our order of Janry 27th last. We are of Opinion that we cannot at Present carry the same into Execution.

We are however of Opinion that M^r James is entitled to our Gratitude for the liberality of his Offer to advance Money towards the Improvement of our Estate. Ordered that our Solicitor do write to M^r James to inform him of our Resolution.

It will be seen that Mr. James' suggestions were of a large and liberal nature, and, if carried out, might have been the means of saving the Corporation from annihilation, as the great increase of income which must have arisen thereby would necessarily have stirred the members up to use some of the proceeds for the public benefit, instead of simply putting them into their own pockets.

Mr. James' advice, that the Common should always be kept as an open space, was not adopted; but in these latter days the large space (over 40 acres) attached to the College, and the new park (about 70 acres), recently (1888) laid out by the Metropolitan Board of Works, to a large extent fulfil Mr. James' desire for adequate open spaces.

Few of his ideas as to roads have been carried out, but others have been made for the purpose of developing the estate, which would probably satisfy him could he return to this life to again survey the scene of his labours.

On the 3rd February 1809 the Society took a step involving a new departure from the literal terms of the statutes, in dispensing with the waiting of the scholars at table.

The order at Private Sitzings was as follows :—

It having been found by experience that the Admission of the boys belonging to the College to wait at dinner on the Master, Warden and Fellows is attended with many disadvantages: Ordered that for the future in lieu thereof, a Boy be kept under the Butler to wait at dinner and do other things necessary for the Establishment and that the Butler be desired to look out for one who may answer the intended purpose, & to be under his control.

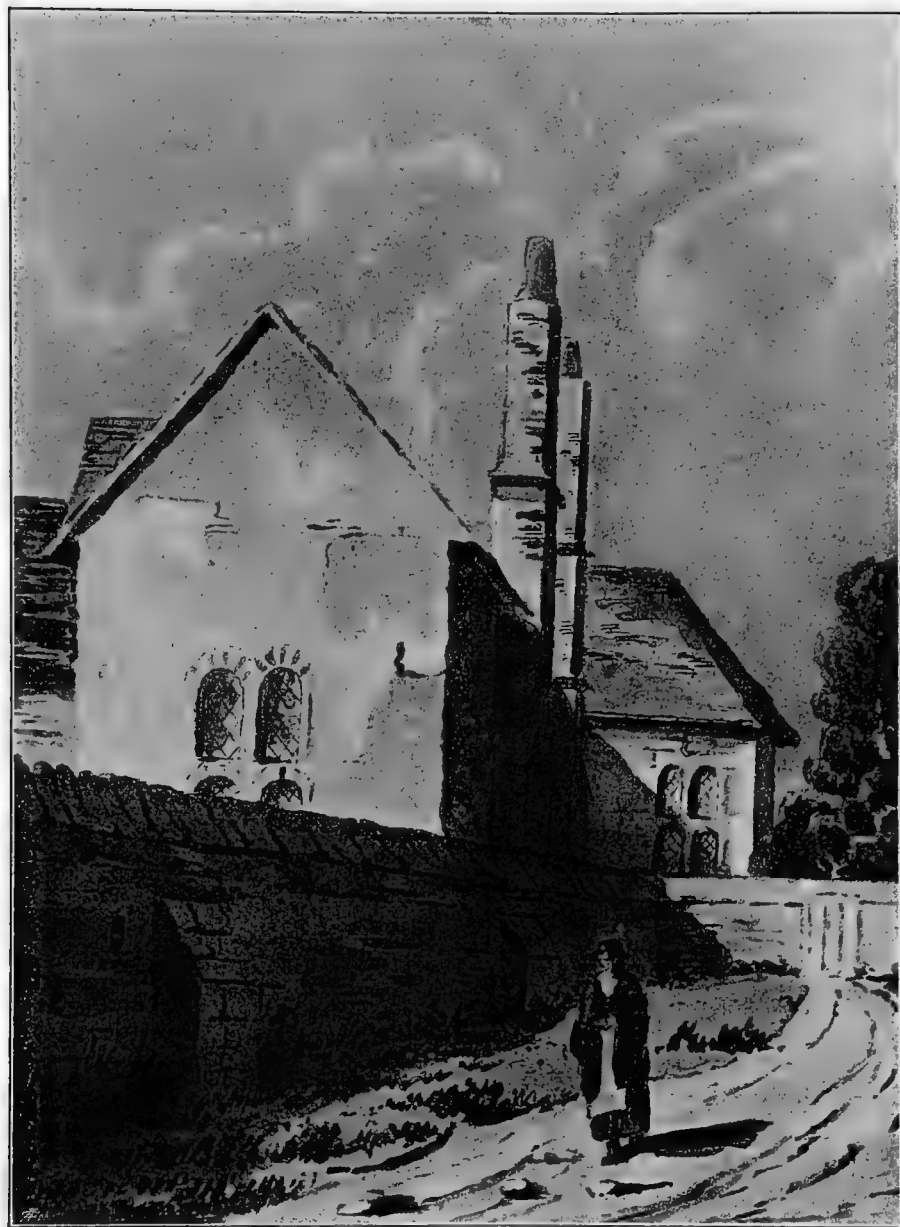
On the 14th April 1809 it was particularly resolved, that

we should meet next Friday in consultation, for the purpose of giving public notice (which we have for three years neglected) of the beautiful situations we have on our estate for building. For which purpose, we should immediately have various painted boards got ready in order to be placed in proper parts around: that the Public may know our intentions and make choice of the charming Spots to build upon: being invited for information to the College and to our Surveyor in regard to the terms and conditions which the land is to be lett upon.

On the 4th September 1809 it was ordered,

That from henceforth the Master, Warden and Four Fellows be allowed Coals and Candles at the charge of the College not exceeding annually Four Chaldron of Coals and two dozen pounds of Candles to be consumed and used within the College and not elsewhere on any account but no more of those quantities to be ordered than each member shall find necessary for his use within the college. And in consideration thereof the allowance heretofore made in lieu of Faggots for Fuel to cease.

On the 29th September 1809, Mr. John Scott, of Penge, who had a



Part of Dulwich College
Probably about
1790-1810.

lease of two fields and a road, surrendered the same on the expiry of his lease, and the College took possession, continuing Mrs. Clarke in the collection of the toll at the turnpike on the road, at a salary of three shillings per week, and permitting Mr. or Mrs. Scott to pass in a carriage free, the said John Scott paying the first time of passing the regular toll gate, for the purpose of fixing and ascertaining the right and claim of the College to the road aforesaid.

As a further proof of the appreciation of the College of the importance of roads, the following order, made on the 3rd November 1809, may be cited:—

Ordered that M^r James Marshall do get the Road measured from the Elephant and Castle, through Dulwich and Beckenham to Bromley. And that a Finger Post be erected at the former Place pointing out the distance to each of the three latter places. And that another Finger Post be erected on the Common, the Road widened and the Arch extended opposite to the Wind mill.

And on the 30th March 1810 it was ordered,

That our Solicitor do write to M^r Scott requesting he will have the goodness to send us his Proposals in writing respecting the continuation of Morgans Road towards Croydon.

And again on the 26th February 1811 it was ordered,

That the profits arising from the Toll on the Penge Road be applied to the widening and keeping in repair that Road and the expence of forming the new one across the Common towards M^r Vizard's Premises.

On the 14th April 1811, William Allen, the Master, died, and Lancelot Baugh Allen, the Warden, succeeded him. The election of a new Warden took place on the 29th April, and resulted in the choice of John Allen,* who was, as Warden and Master, a member of the Society for nearly thirty-two years. No notice of the election occurs in the College books, but the original voting paper has been recently found among the archives. From this it appears that he drew lots with Thomas Griffiths Allen, of the Royal Navy, there being only four candidates, one of whom was William Allen, of the Bank of England, who had unsuccessfully drawn lots with Lancelot Baugh Allen in 1805.

On the 7th January 1811, Sir Peter Francis Bourgeois, R.A., died, by his will bequeathing to the College, at the death of Mrs. Desenfans, the valuable collection of pictures which now (with the Cartwright Bequest) form the Dulwich Picture Gallery. He also bequeathed £10,000 for their maintenance, and a further sum of £2000 towards rebuilding or repairing the existing picture gallery and the west wing of the College. The residue of

* See Vol. II. for a full notice of John Allen, better known as "Holland House Allen."

his estate was likewise bequeathed to the College, but the major part of this reverted to his next-of-kin in consequence of the bequest being void under the statute of mortmain.

The circumstances under which this collection was formed by Mr. Desenfans are recorded in the subsequent chapter on this subject, as well as in the catalogue of the gallery by Jean Paul Richter, Ph.D., and Mr. John C. L. Sparkes, published in 1880. The minute of the Private Sittings held on the 12th July 1811, thus records the proceedings consequent on the bequest:—

The late Sir Francis Bourgeois having died on the 7th of Janry last, and bequeathed to the Master, Warden and Fellows of this Society his valuable collection of Pictures (after the death of M^{rs} Desenfans of Charlotte Street Portland Place) together with £2000 towards the erection of a Gallery to contain them, and also made the Master, Warden and Fellows his residuary legatees after the death of M^{rs} Desenfans, and she having made known her wishes to them that a Gallery should be immediately erected, and that she is willing to contribute the said £2000 towards the erection of such gallery as soon as it should be wanted, and to give up the possession of the Pictures as soon as the Gallery is ready to receive them: Resolved That it is therefore expedient to erect a Gallery without delay if we have the means of doing so.

Sir Francis Bourgeois having in his last Illness expressed a wish in the presence of the Master the 3rd Fellow and R. M. Greenwell Esq^e his executors that John Soane Esq. of Lincoln's Inn Fields should be the Architect employed by the College, and that a Mausoleum should be erected to contain his own Body and those of M^r & M^{rs} Desenfans, the expence of which his Executors are empowered to defray: Resolved That it is just and proper in all respects as far as we are able to comply with the wishes of so munificent a Benefactor.

M^r Soane having accurately surveyed our College has stated his opinion that from the ruinous state of the present west wing which contains the Picture Gallery and the poor Sisters Rooms the whole must be taken down and that in the Back yard at right angles to our present Kitchen would be a more convenient scite to erect such Picture Gallery, and also to build new apartments for the better accommodation of the poor Sisters, who now reside in the West wing and having been requested to produce a Plan, He has done so, which after some alteration we have approved: Resolved that it is expedient, if possible, to carry such Plan into execution immediately.

It being essential to know the extent of the expence to be incurred, before we commence an undertaking of such importance, we have applied for, and obtained from M^r Soane an estimate of the expence of building and completing the Gallery, Mausoleum and Rooms for the residence of the Poor Sisters according to his Plan which amounts in the whole to the sum of (*left blank*).

Our Fund for rebuilding the West Wing amounts to £9450 3 per cent. Consols which at the present price of Stocks may be considered worth £5800 (about 61½ per cent.). To this may be added Sir Francis Bourgeois' Legacy of £2000 agreed to be relinquished by M^{rs} Desenfans on condition of immediately erecting the Gallery, making the whole sum we have for rebuilding the West Wing and Gallery £7800. So that after making a Deduction of £1000 for the Mausoleum included in the

Estimate and to be supplied by the Executors out of their Funds, there will still remain a deficiency of near £3000.*

M^r Soane has very handsomely offered to assist the College in making up any Deficiency which may arise upon the best security the College can afford him, our warm acknowledgements are therefore due to him, but in a business of such serious importance it becomes the Duty of the present Master, Warden and Fellows before they involve themselves in such an undertaking, to take due precaution that the estimate be not exceeded, and that the work be done according to the estimate; so that we may be justified by having some assurance in writing, to shew that we have not run into wanton or unnecessary expences, nor done any act which can involve our successors in Difficulties: With these Qualifications, It is resolved that John Soane Esq^r. be authorized forthwith to build a new West Wing to the College, in lieu of the decayed one in the situation before described, the same to comprehend a Picture Gallery, and Residence for the poor Sisters, according to his Plan, and that a Mausoleum be attached thereto, as directed by the will: Also that Charles Druce Esq. our Steward do wait upon him, and obtain the necessary assurances respecting the expence of the Completion of the work.

This unusually elaborate minute is signed by all the Society, except Mr. R. Dowell, the organist.

On the 10th of October 1811, the following letters, etc., which explain themselves, were entered in the Private Sitzings book:—

No. 1. Copy of a Letter from John Soane, Esq., to Chas. Druce, Esq., dated Lincoln's Inn Fields, August 5, 1811.

Sir,—I am favoured with your letter of the 30th ult^o inclosing a copy of the Minutes of the Private Sitzings at Dulwich College of 12th of July 1811, to which I beg leave to refer: I will thank you to state to the Master, Warden and Fellows of Dulwich College that I have reconsidered the Estimates for building, in a plain and substantial manner, a Mausoleum, a Gallery to contain the pictures bequeathed by the late Sir Francis Bourgeois and also for building apartments for the better accommodation of the Poor Sisters, according to the designs submitted; I have likewise applied to different workmen to know on what terms they would undertake to do the several works, and the result has been that I see no reason to alter my opinion of the expence of executing the designs proposed, amounting to Eleven thousand two hundred and seventy pounds, which sum includes One thousand pounds for the Mausoleum. You will be pleased to assure the Master, Warden and Fellows that every attention in my power shall be paid to economise the expenditure as far as is consistent with solidity and durability of construction.

I am &c.

To Chas. Druce, Esq^r.

JOHN SOANE, Arch^t.

* The fund for rebuilding was	£5800
Mrs. Desenfans cedes	2000
The Executors pay for Mausoleum	1000
	<hr/>
	£8800

So that the estimate left blank above must have been about £11,800; but the subsequent letter shows that it was actually £11,270.

No. 2. Extract of a Letter from Chas. Druce, Esq., to John Soane, Esq., dated August 22, 1811.

Sir,—Since I had the pleasure of writing to you the Gentlemen of the College have met and have been considering about the proposed undertaking. The result is, that they do not think it prudent to begin a work of such magnitude until they are assured by means of contracts with those who are to perform, or in any other way you can point out, that they cannot be called upon for any sum beyond the Estimate. Being in this character of Trustees they think they ought not to proceed on any but certain grounds, and having only those limited means which they have explained, if there should happen any excess beyond what they contemplate, they might not be able either to pay or give satisfactory security for the same.

No. 3. Copy of a Note from Mrs. Desenfans to John Soane, Esq., dated 19th September 1811, and by him laid before the College on the 26th of the said month.

As the only consolation Mrs. Desenfans can receive in this life will be to see the wishes and intentions of her dear friend Sir Francis Bourgeois, carried into effect in the most compleat and expeditious manner, She is willing that the whole money required for the purpose should be raised in the same manner as was that for the legacies and other necessary demands, if it meets the approbation of the Master and Warden of the College.

No. 4. Minute of the Resolutions adopted at the Private Sitzings of the College, September 26, 1811.

M^r Soane attended at the College this day and signified the desire of M^{rs} Desenfans that the Gallery for the reception of the Pictures bequeathed by the late Sir Francis Bourgeois should be immediately erected, and produced a letter to him from M^{rs} Desenfans in which she offered to advance whatever money would be requisite for the purpose. M^r Soane's estimate was referred to which amounted to £11,270, including the Gallery, Mausoleum and new apartments for the poor Sisters, and it appearing that the funds of the College applicable to the purpose amounted to near £6000. It was resolved that if M^{rs} Desenfans would advance a sum of £6000, the College would immediately proceed with the building according to the plan proposed by M^r Soane to which the above mentioned Estimate refers. This resolution was communicated to M^r Soane with an intimation that he should receive an answer to that effect in writing from M^r Druce, Steward of the College, who was thereupon directed to write to M^r Soane expressing the thanks of the College to M^{rs} Desenfans for her liberal offer, but declining to accept any greater sum than £6000 which was deemed sufficient with the aid of the College funds to complete the intended Buildings. It being understood that the said £6000 was to be considered as including the sum of £2000 directed to be applied by Sir Francis Bourgeois towards erecting the gallery.

The College having at the same time taken into their consideration, that from all the information they have been able to collect since passing their order of the 12th of July last, it appears to be unusual for Buildings of the nature of the proposed new West Wing to be executed by contract, impossible to find any Architect or Surveyor who would enter into such a contract, and unadvisable for persons in their situation to make contracts for the execution of the work in details with inferior Tradesmen, do therefore resolve to rest satisfied with the general estimate contained in M^r Soane's

letter to M^r Druce of the 5th of August last, trusting to the care and judgment of M^r Soane, that every unnecessary expence will be avoided and the building completed in the most economical manner consistent with the stability and due execution of the work.

No. 5. Copy of a Letter from Chas. Druce, Esq., to John Soane, Esq., dated
27th September 1811.

Dear Sir,—In consequence of your having communicated the kind intentions of M^{rs} Desenfans as expressed in her letter to you, I am directed by the Master, Warden and Fellows of Dulwich College to express their obligations to her for her munificent offer, and to say that they could not think of accepting more than what may be requisite to complete the work with the addition of their own funds. They have about £6000 and if M^{rs} Desenfans contributes a like sum of £6000 they hope it will be sufficient and not in any way deprive her of a necessary comfort. I am particularly directed to beg that you will convey to M^{rs} Desenfans the gratitude of the College for her liberal offer with an assurance that on such an arrangement being made they will be ready to proceed and happy to do everything which may tend to her satisfaction and comfort.

I am &c.

To John Soane Esq^r.

Signed CHAS. DRUCE.

No. 6. Copy of a Letter from Mrs. Desenfans to the Master, Warden, and Fellows of God's Gift College in Dulwich, and the Executors of the late Sir Francis Bourgeois, dated 3rd October 1811.

Gentlemen,

Having expressed my desire to you that the intentions of my late friend Sir Francis Bourgeois should be carried into effect in my lifetime so far as relates to the building of a Gallery for the reception of his collection of Pictures and a Mausoleum, and understanding from you through M^r Soane that a sum of £6000 in addition to your own funds will be requisite for the purpose of building the Gallery and Mausoleum with new habitations for the poor sisters of the College, I request that the same may be carried into immediate execution and I direct and authorize the Ex^{rs} of the late Sir Francis Bourgeois to raise the said sum of £6000 out of his personal estate and apply the same towards the expence of erecting the said Gallery, Mausoleum, and habitations of the said poor Sisters in aid of the College funds, in order that the collection of pictures may be placed therein with as little delay as possible. I relinquish my life interest in the £6000 so to be raised and applied and I engage to execute any other authority which the Executors may deem requisite for the purpose.

Oct^r 3^d 1811

(Signed) MARGARET DESENFANS.

To the Master, Warden & Fellows of God's Gift College in
Dulwich and the Executors of the late Sir Francis
Bourgeois.

No. 7. Resolution adopted at the Present Sitting, 10th October 1811.

A letter was received from M^{rs} Desenfans dated the 3rd inst. in which she engages to advance a sum of £6000 to be applied in addition to the College Funds, in erecting

a picture Gallery, Mausoleum and new Habitations for the Poor Sisters, and authorizing the Executors of the late Sir Francis Bourgeois to advance the said sum out of his personal estate. It was therefore Resolved, that the said buildings be erected according to the plan of M^r Soane approved of by the College, and that M^r Soane be and is hereby authorized immediately to proceed with the same, And that a copy of this resolution and that of the 26th of September be transmitted to M^r Soane as his authority.

The work was accordingly proceeded with, and must have made considerable progress during the next six months, for on the 29th May 1812, Mr. Jullian, the second Fellow, records in the Private Sittings book that he "thinks it expedient to recommend to the Society their taking under consideration a letter respecting the warming by steam the Picture Gallery and Chapel;" and at the next meeting on the 5th June, it is ordered "that the picture Gallery be heated by steam and Messrs. Bolton and Watt* having agreed to execute the same for Two hundred and seventy pounds, that they be directed to do the same." Mrs. Desenfans died in 1814, when the Gallery was almost completed; on the 18th June in that year the following minute occurs:—

The Master having been requested to find out a Person willing to remove the Pictures from the house of the late M^r Desenfans to the Gallery here, after some enquiries has received an offer from M^r Morton of Swallow Street to bring them down safe for the sum of £35: Ordered that the Master be authorized to conclude an agreement with him upon the above terms.

The pictures were accordingly brought to Dulwich, and the College, taking into consideration the services of James Gill, who had had the care of the collection in Charlotte Street, Portland Place, since the decease of Mrs. Desenfans, awarded him on the 14th July 1814 the sum of £150, "as a compensation over and above his expences for living during that time."

On the same day it is recorded that "Having received a very satisfactory character of John Bonham from Sir Samuel Romilly in whose service he had lived for upwards of eight years, Ordered that he be hired as a servant to have the care of the Picture Gallery at £80 a year wages, Liveries, and rooms in the house late the 'French Horn.'"†

John Bonham had apparently the sole care of the pictures until October 1816, when Mr. Ralph Cockburn, an artist of some note, was appointed keeper and custodian of the gallery and its contents.

The accounts of the mixed Bourgeois and West Wing Fund were finally closed on the 20th December 1817, and the balance of £115. 5s. handed over to the general repairing fund of the College. Mrs. Desenfans, besides

* These were the sons of Matthew Bolton and of James Watt, the celebrated engineers.

† Afterwards the residence of the Head Master of the Grammar School (erected 1842), and later used as a National School, with rooms for the schoolmaster and mistress, Mr. and Mrs. Tijou.

the munificent gift of her life interest in the sum of £6000, left by will to the College the sum of £500, out of the interest of which an annual dinner was to be provided for the President and Council of the Royal Academy, on the occasion of their official visit to the Gallery. She also left plate and linen for use on the same occasions.*

Taking advantage of the new Enclosure Act, the College proceeded to let the Common, as appears by the following minute of "Private Sitzings," held on the 24th January 1812:—

M^r Lett having made us a proposal to take the Common on a lease of 21 years at a yearly rent of £2 per acre and to plant the same immediately both as to plantations and single Trees or clumps in such manner as the College shall approve; either by M^r Thomas Milne of Fulham or by any other Person of whose skill and abilities they may have a good opinion and undertaking to fence round the same with a Rail or fence which shall not be higher than two feet, but to have no Fences or Divisions in external part of the Common otherwise than the Drains or Ditches and the Fences of the Trees and Plantations and also undertaking, that, if it shall be necessary to break up the whole or any part thereof for the better laying it down into Grass, that it shall not be done at the same time, and that the whole shall be laid down into meadow or pasture within three years from the breaking up the same, and that a space be left by the side of the road from the new Plantation in a line towards the windmill, and that a Road of considerable breadth be left on the South side of the Common leading from such Plantation towards the Gypsy House.

Ordered that M^r Lett have a lease of the Common for such term and Rent and conformable to such conditions.†

The Society appear also about this time to have contemplated a considerable increase in the facilities for the education of the poor children of the hamlet of Dulwich, as is shown by the following minute, dated 11th December 1812:—

A letter from John Bowles Esq^r to the Senior Fellow requesting the College as a Corporation to contribute to the erection of a Charity school at Camberwell in connection with the National Society for the Education of the poor having been read and taken into consideration, it was the unanimous opinion of the College that having under their immediate patronage a Charity School at Dulwich for the Education of the poor children of that hamlet (independent of the poor Scholars on the foundation of the College) which they intend speedily to place on a more extensive footing and to conduct on the principles of the system of education introduced into this country by D^r Bell and M^r Lancaster, it is unnecessary for them to contribute to the expence of another charity directed to the same end.

The intention indicated was not, however, carried out until 1842, and then only partially.

It would appear that although the College entirely repudiated any

* Further particulars will be found in Chapter XVIII. on "The Picture Galleries."

† Mr. Lett's plantations now form part of the College grounds and playing fields.

liability in connection with the thirty out-members, they were in the habit of making an annual present of coals to the inmates of the almshouses in their respective parishes, for on the 11th December 1812 an order is made "that M^r Garner be desired to send the usual allowance of coals to the "Alms houses in the parishes of S^t Botolphs, S^t Saviours and S^t Luke's."

On the same day the following order was made respecting the wine to be drunk at the College table :—

Ordered that the consumption of wine at the College table shall not exceed three bottles on any one day, unless there be present more than six persons of the following descriptions viz. members of the College, Steward and Surveyor of the College, Clergymen officiating at the chapel of the College on Sundays or fast days, Candidates for the office of Warden or for fellowships, persons invited to dinner on the business of the College: a pint of wine extra being allowed for every such person making a great number than six.

And if the Consumption of Wine on any one day should exceed the above allowance the excess shall be charged against the person or persons who may have given or for the same by bringing a friend or friends to the College table, or in case no stranger have been present it shall be charged against the Master, Warden or Fellow who happened that day to preside at the College table.

That Audit days and Rent days be excepted from the preceding regulation.

On the 24th July 1814 a departure from the statutes concerning the disposition of the goods of the poor brethren and sisters after their decease, was formally authorized by the following minute :—

Whereas by the statutes concerning the poor and their goods it is ordained that the Warden on the decease of any poor brother or sister shall cause the goods and chattels of the deceased to be sold and divided into twelve parts whereof the Matron of the scholars to have a double share and the others to have single shares. Now at a meeting this day of the poor brothers and sisters it was agreed among them that on the decease of any poor brother and sister in future their goods and chattels should not be sold or divided and that each should have the liberty of disposing of their goods and chattels on their decease at their free will and pleasure. And in regard the Matron relinquishes her double share it is agreed that she shall have five shillings per quarter paid to her by the College in addition to two shillings and sixpence per quarter now allowed to her for her care of the poor scholars.

On the same day it was resolved to expend a sum of nine hundred pounds to finish the poor sisters' apartments in the new west wing, according to the plan and particulars signed by the surveyor Mr. George Tappen, and six hundred and fifty pounds, in addition to the materials of the old stable in front of the picture gallery, for the erection of new stables and coach-house, according to a plan and statement of particulars, also prepared by the surveyor; and it was also ordered "that a new Road be made from "Lordship Lane nearly opposite M^r Highmore's House in a direction "measured out by our Bailiff to Dulwich Court Farm; and amounting to

" 76 Rood. The Bailiff undertaking to get the same finished at £2. 7s. 6d. " per Rood or £180. 10s. in the whole." .

On the 16th February 1815 it was ordered that "the mill * and old " houses on the Common now in the occupation of Thos. Kemp be pulled " down and the old materials sold to him on the valuation of M^r Holmes " of Lewisham the auctioneer, at and for the sum of £110: M^r Kemp being " willing to pay the same on or before the 1st of next August."

On the 28th January 1816 the following is recorded :—

Whereas Bernard Ellis one of the poor Brethren of this College, has been convicted on the testimony of several persons of having taken indecent liberties with Mary Ann Birch, whom he had introduced into the College under the false character of his Niece but who was in fact no relation to him, the said Mary Ann Birch was immediately on the fact being made known to the master, ordered to quit the College and never to return, but the conduct of Bernard Ellis requiring more mature consideration, it was this day after much deliberation resolved that the said Bernard Ellis be enjoined by the Master to absent himself from the College till the 4th of February next and that he be fined one month's pension, and that this order be read to all the poor brethren and sisters in Hall assembled, to mark our reprobation of his conduct and to remind them of the obligation imposed on them by our Founder to be persons of religious and sober lives and conversations.

On the 23rd May 1816 it was ordered,

That in consideration of the low price of Corn a deduction of 30 per cent be made in the rent of £73. 10s. due by Robert Ridley upon land in his occupation under the Plough for the terms of Lady Day and Michaelmas next, said deduction amounting to £22 and that for the same reason a deduction of 20 per cent be made in the rent of £48 due by Thomas Kemp for the same terms on condition of his delivering up possession of the site of the late Windmill and premises formerly held by him of the College on or before the 1st of June, said deduction amounting to £9. 12s.

The price of wheat appears, by Tookes' *History of Prices* (vol. i. p. 341), to have been 155s. per quarter in August 1812, 121s. in December 1812, 112s. in August 1813, 73s. 6d. in December 1813, 66s. 5d. in July 1814, 53s. 7d. in December 1815, and 52s. 6d. in January 1816. This was the lowest price recorded since 1804. From this time prices rose, wheat being 74s. a quarter in May 1816, and reaching 135s. on the 14th June 1817.

On the 31st May 1816 it was ordered, "that a new Turret Clock to go " 8 days and to strike the quarters be erected in the North Tower of the " College according to the estimates of M^r Massey," and "that a handsome " black Marble grave stone with the Founders Arms upon it be laid down " in the chapel in lieu of the present one which is much defaced." †

* This windmill stood on the ground now used as the garden, at the north end of Dulwich College, and opposite the *mill pond*, hence so called.

† The old gravestone was found many years afterwards in the back yard of the "Half Moon;" it is now at the old College (see Chapter XV.).

And on the 27th August 1817, "that the old wall on the West side of " the outward front court be pulled down and an Iron Railing substituted " in its stead with a new gate opposite to the Bell Gate."

On the 20th December 1817 the following arrangements were made respecting the considerable sums lately expended upon reconstruction and repairs of the College :—

Whereas the mixed Bourgeois & West Wing Fund was this day finally settled and the Balance due to the College on that account, amounting to £115. 5s. carried to the credit of the College in the account for Repairs of the College & Chapel in 1815, 1816, & 1817. And whereas the Land Tax received at Lady Day 1817, amounting to £113. 14s. 7d. has been also carried to the credit of the College in the said Repair account, leaving a balance still due to the Warden for his Advances on the said Account of £725. 13s. 7d. The Warden is hereby directed to make such Charges from time to time for the said Repairs, in the Weekly Accounts of the College as shall gradually extinguish the Balance so due to him.

Ordered that the produce of the Land Tax, the Rents from Pews in the Chapel and the net Proceeds from Timber felled on the Estate (exclusive of the Portion set aside for Planting) be annually invested in the 3 per cent Consols in addition to the present West Wing Fund, as a perpetual repairing Fund for permanent Repairs and improvements of the Estate.

Ordered that in future all accounts of repairs be charged among the weekly accounts of the College, But that a separate Entry or Memorandum be made by the Warden of all permanent, in contradiction to ordinary Repairs whether relating to the College, and Officers, or to other permanent Improvements of the Estate.

And to prevent the inconvenience that might arise from the Dividend of any one year falling short of the Dividend of the preceding year in consequence of extraordinary demands for the Repair or Improvement of the Estate, Ordered that on the previous day before the 4th of March every Year, the expenditure for permanent Repairs since the 4th March preceding, be taken into consideration, and if necessary, so much of the repairing Fund be sold from the 3 per cent Consols and the produce carried to the extra Receipts of the College as will maintain the Dividend at the ensuing audit on the same scale as the Dividend of the preceding year.

Again, on the 30th March 1818, it is ordered,

That the produce of the Land Tax and the rents of pews for the present year be applied to discharge the balance due to the Warden on the repair account, instead of being invested in the 3 per cent Consols, according to the order of the 20th of December last: And that the net proceeds from timber for the present year (exclusive of the portion set aside for planting) be charged among the extra receipts of the College, in consideration of the large sums for repairs charged in the weekly Bills.

On the 9th June 1819 it is recorded that the Archbishop of Canterbury (Dr. Charles Manners Sutton, previously Bishop of Norwich, who had succeeded Dr. John Moore in 1805) had intimated a wish for the loan of Henslow's Diary, and it was ordered that the Master do deliver it to him.

On the 5th May 1820, Mr. Lancelot Baugh Allen, the Master, resigned his office by the following letter :—

God's Gift College, May 5, 1820.

Sir, I beg you to accept this day my Resignation of the Mastership of this College and to communicate the same to the Society.

I Remain your obedient Servant

LANCELOT BAUGH ALLEN.

To John Allen Esq.

Warden of God's Gift College, Dulwich.

John Allen, the Warden, was accordingly sworn in as Master after Evening Service on the same day.

Mr. L. B. Allen married and resided at Dulwich as a tenant of the College for many years after his resignation. He became one of the "six clerks," and was also a "clerk of the Petty Bag." He seems to have taken an interest in the College affairs, sometimes amounting to interference, and his relations with the Society, especially after the death of John Allen, his successor, were of rather an unfriendly character. The date of his death is not recorded, but there are letters from him in the College of as late a date as 1845.

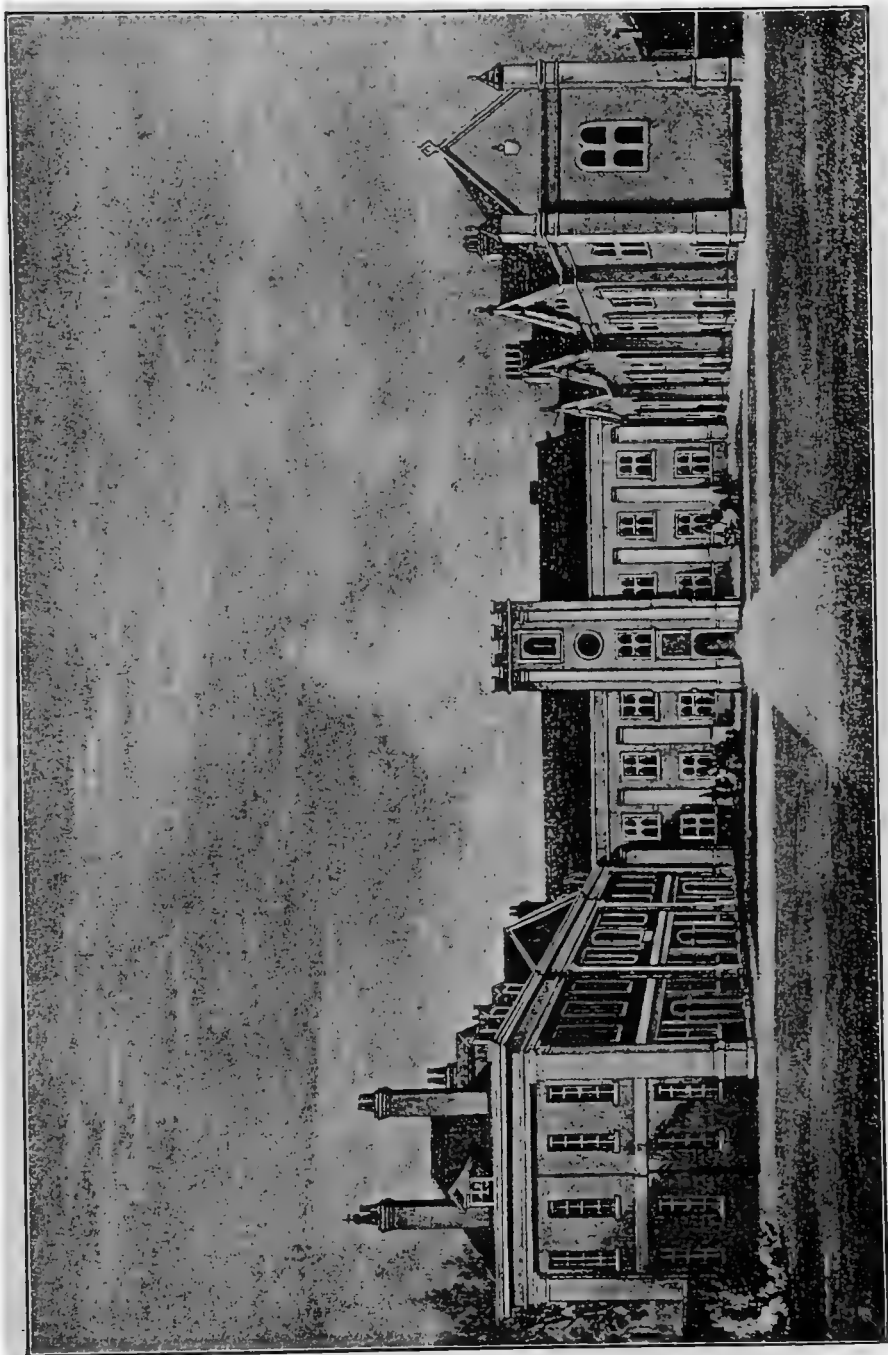
CHAPTER XIII.

THE HISTORY OF THE COLLEGE, 1820-1843.

JOHN ALLEN having become Master by the resignation of Mr. L. Baugh Allen, a new election of Warden became necessary. In anticipation of this event, the Archbishop had issued the following injunction, dated the 11th March 1819.

After reciting the constitution of the College and statutes Nos. 3, 4, 17, 31, 113, and 117, it proceeds:—

And whereas it has been represented to us that the annual rents and income of the College have encreased since the Foundation of the College (being a period of two hundred years) from the before mentioned sum of eight hundred pounds to seven thousand pounds per annum, and that by the mode and rules used for the appropriation and distribution of the revenue there must always be a large balance of cash in the hands of the Warden and in addition to which the annual dividend of the poor Brethren and Sisters amounting to more than One thousand two hundred pounds is delivered over to the Warden on the fourth day of March every year to be paid by him in monthly proportions during the ensuing year to the Brethren and sisters for their better support and maintenance forming an aggregate sum in the hands of the Warden which at particular times of the year exceeds considerably the whole annual revenue of the College being a trust and confidence beyond what the Founder ever contemplated to place in the hands of any one individual member. And Whereas it appears to us that the sum of one thousand pounds in which the Warden is by the seventeenth Statute directed to become bound on his Election (and without surety by any other person) is wholly inadequate as a security to the said College now the revenue thereof is greatly encreased and that the mode of security prescribed by the Founder of acknowledging a statute has been so long disused as to be obsolete. And moreover it appears to us that (as by virtue of the statutes any man of the name of Allen being twenty one and unmarried is eligible to the place provided he has the repute only mentioned in that Statute whatever his state or condition as to property may be the College can never be certain as to the Character or responsibility of the Warden) great danger may accrue to the College by the temptation which the possession of such considerable sums of money may excite to speculation or other improvident use of the same by the Warden by which misconduct great injury might arise to the College in general and particularly to those poorer Members whose Monthly Dividends remain in the hands of the Warden for distribution. Now We the said Charles Lord Archbishop of Canterbury Visitor of the said College being desirous to prevent as far as in us lies the danger and possible abuse of trust which



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might arise from the want of sufficient security on the part of the Warden of the said College for the faithful discharge of the duties reposed in him by the Statutes, and being persuaded that in consequence of the vast increase of the revenues of the said College the Security required by the said Statutes is inadequate and that to insure the due and just application of the Founders bounty the mode of Security ought to be accommodated to the alteration of the times and circumstances do hereby (as far as by Law we may) Order and enjoin that every person hereafter to be elected Warden of the said College shall within the space of twenty one days after such election to the said Wardenship become bound in a Bond to the said College of God's Gift in Dulwich in the county of Surrey himself in a sum which shall be then fixed upon and ascertained as near as may be by the Master and Fellows of the said College for the time being as the amount of the Trust reposed in the Warden together with four sureties to be approved by the said Master and Fellows for the time being in Two thousand pounds each for duly accounting for all such sum and sums of money issues rents and profits which shall or may be received and paid by such warden and for faithfully discharging the duties of the said Office according to the statutes and rules of the said College. And in default thereof that the said election of such person as Warden shall be void and the remaining members and assistants shall be at liberty to proceed to a new Election of a Warden with the like notices, and in the same manner in all respects as if the preceding Election had not taken place. Except that the person so previously Elected and failing to give such Bond as hereby ordered and enjoined shall not be again eligible for the Office of Warden. And we do further in like manner order and enjoin that in the event of the decease or of the Bankruptcy or insolvency of any person or persons who shall at any time be Surety or Sureties as aforesaid for any Warden of the said College such Warden shall in any such case within the space of three calendar months after he shall be thereto required by the Master and Fellows for the time being find some other fit and proper person or persons to be approved by the said master and Fellows to be a surety or sureties in the place of and to be bound in a Bond to the said College to the same amount and for the same purposes as the Surety or Sureties so dying or becoming Bankrupt or insolvent had become bound. And in default thereof that any Warden failing in any such case to find such new Surety or Sureties within the required time shall thenceforth altogether cease to be Warden of the said College to all intents and purposes as if he had departed this life and the remaining Members and Assistants shall be at liberty to proceed to a new Election of a Warden precisely in the same manner to all intents and purposes and with the same exception as is before provided in the case of any person Elected to the office of a Warden failing to give the Bond hereby ordered and enjoined to be given within the time before specified in that behalf. Given under our hand and Archiepiscopal Seal at Lambeth Palace this Eleventh day of March in the year of our Lord One thousand eight hundred and nineteen.

C. CANTUAR.

The election of a new Warden was held on the 22nd May 1820, when Mr. Jeffrys Thomas Allen was chosen, having drawn lots with Mr. Joshua Jullian Allen.

On this occasion there were seven candidates, and it would appear that the assistants attempted to impose upon the College a Warden not acceptable to the members of the Society, and that they would have succeeded in

their object had not one of their number, Mr. George Heath, the under-warden of St. Botolphs, been either purposely or accidentally absent.

The five churchwardens present all voted for Captain John Allen and Mr. Joseph Allen, whilst the members of the College unanimously selected Mr. Jeffrys Thomas Allen and Mr. Joshua Jullian Allen, and each of these four candidates consequently received five votes. The Master, therefore, had a second or casting vote, which he gave for the two College candidates, one of whom, Jeffrys Thomas Allen, was of course elected.*

His admission is thus recorded in the Election book :—

8 June 1820. Jeffrys Thomas Allen Esq^r. having been on the 22nd day of May last elected Warden of the College this day attended and produced and delivered into the College a Bond executed by him in the Penal sum of Eight thousand pounds for the due Execution of his Office. And also the Bonds of Four sureties each in the sum of Two thousand Pounds viz^t

William Pyne Esq of Lyme Dorsetshire
Charles Short Esq George Street Westminster
Vincent Stuckey of Sloane Street Esq^r &
William Astell Esq of Portland Place.

Which several Securities having been approved by the Master and Fellows the said Jeffrys Thomas Allen took the Oath as Warden expressed in the Statutes which was ministered unto him by the Rev^d Thomas Jenyns Smith the senior Fellow of the College in the Presence of the Corporation after Evening Prayer, and was admitted by the Master and Fellows present to the Place of Warden of the said College, and he took upon him the said Office and was conducted to his Seat in the Chapel and his Lodgings in the College by the Master and Fellows present.

On the 20th February 1821 the following minute is made respecting the cash nominally in the Warden's hands, but really invested, the interest on which was divided equally between the Master, Warden, and four Fellows :—

Whereas in the College account settled at the Audit on the 4th September last the Warden stands charged with a Balance of Cash as being in his hands belonging to the College amounting to £5571. 7s. 2d. Now it is hereby acknowledged by the Master, Warden and Fellows of the College that the sum of £953. 5s. 6d. part of that sum has been invested (along with £100 out of the Treasury Chest) in the Purchase of £1700 Consolidated £3 p cent Bank annuities now standing in the names of William Allen, Lancelot Baugh Allen, Rev^d Thomas Jenyns Smith & Rev^d Neville Stow. And that the further sum of £1540 has been lately laid out in the Purchase of £2000 Stock in the Three & a half per cent Bank annuities in the names of John Allen, Jefferys Thomas Allen, Rev^d Thomas Jenyns Smith and Rev^d John Vane. And it is declared that the Warden is not personally responsible for the above two Sums of £953. 5s. 6d. and £1540, although included in the sum charged as being in the Wardens Hands and nominally charged against him for the purpose of keeping the Accounts of the College in the Accustomed way.

* The remaining candidates were Marshall Allen, Bennett Allen, and Thomas J. Allen. Their professions are not recorded.

The first-named investment of £1700 3 per cent. Consols was transferred on the 17th April 1821 into the same names as the £2000 3½ Bank Annuities.

On the 20th February 1821 the following considerable further outlay on building was sanctioned :—

M^r Tappen having deposited with the college plans and elevations with specification of particulars for repairing the West wing and building a new Kitchen and apartments for the Warden, as more particularly set forth in the foresaid plans and specifications and having agreed to execute the same in the most complete and sufficient manner for Three thousand Guineas (including his Commission as surveyor) Ordered that M^r Tappen be authorized to begin the same immediately after the next audit, and be directed to bring them to a conclusion with all possible expedition.

In the year 1823 the chapel of the College was enlarged. The following is the entry made in the audit book under date 4th April 1823 :—

Whereas the Chapel of the College of God's Gift in Dulwich not being sufficiently large for the convenient accommodation of the Inhabitants of Dulwich, most of them being tenants of the said College, the Master, Warden and Fellows of the College have completely repaired and considerably enlarged the said Chapel at a great expence and have erected a new Gallery on the South side of the said Chapel, and Pews have been made in the said new Gallery, and in the new part of the said Chapel under the same, with a view to the accommodation of such of the Inhabitants as should be willing to contribute towards the expence of such Improvements. And the College have likewise appropriated part of the said new Addition to be used as Seats for the servants of the Families in Dulwich and other part of the Chapel for the use of the Children of the Free School founded by James Allen formerly Master, without diminishing the free Accommodation afforded to the Inhabitants of Dulwich. And it having been considered and arranged that the Sum to be contributed by each Person desiring the exclusive use of a New Pew should be at the rate of £8 for each Seat in such Pew, but without any additional payment for servant's Seats. And that each Inhabitant taking a Pew should during his Residence in, and all Persons afterwards occupying and residing in the Premises now occupied by him have the exclusive use of such Pew, during the Term of the now existing Lease or agreement for a Lease of the Person first taking such Pew, and without any Rent or future payment for or in respect of the same during such period, but without the power to let off or separate the Pew from the Premises in respect to the occupation of which the same is first taken, and that after the expiration of each such present existing Lease or Agreement, the exclusive use of such Pew should cease. And the sole power of letting, using and appropriating each such Pew in future and all right thereto, should revert and belong wholly to, and be solely exercised by the Master, Warden and Fellows of the said College for the time being. And the several Persons after mentioned having paid the several sums of money set against their respective names.

It is therefore hereby Ordered and Agreed that the exclusive use of the several Pews hereafter specified should be granted to the undermentioned Persons or the occupiers of their respective Houses for the time being and for the periods after-mentioned viz^t.

Pews.

IN THE NEW GALLERY.

- No. 1. To Thomas Lett Esq for the use of the Occupiers for the time being of the House agreed to be built by him on Ground adjoining Penge Road (late Scotts) for 84 years from Michaelmas 1810. 12 seats for £96.
2. To John Frederick Schroder Esq for the use of the Occupiers for the time being of his present Dwelling House adjoining the Ireland Green Road in Dulwich for 84 years from Michaelmas 1800. 12 seats for £96.
3. To David Melville Esq for the use of the Occupiers for the time being of his present Dwelling House in Dulwich (late William Parrys) for 42 years from Michaelmas 1809. 8 seats for £64.
4. To Richard Henry Clarke Esq for the use of the Occupiers for the time being of his present Dwelling House in Dulwich for 84 years from Lady day 1790. 8 seats for £64.
5. To Richard Shawe Esq for the use of the Occupiers for the time being of the House called Springfield formerly French's in Dulwich for 84 years from Lady day 1803. 8 seats for £64.
6. To Richard Shawe Esq for the use of the Occupiers for the time being of the House in Dulwich Hill called Casino for 84 years from Michaelmas 1800. 16 seats for £128.
7. To David Gordon Esq for the Use of the Occupiers for the time being of his present Dwelling House on Dulwich Hill for 84 years from Michaelmas 1800. 16 seats for £128.
- 8 & 9. To James Fisher Esq for the use of the Occupiers for the time being of his present Dwelling House on Dulwich Hill formerly David Lyons for 84 years from Michaelmas 1800. 16 seats for £128.

Pews.

IN THE BODY OF THE CHAPEL.

- No. 6. To Daniel William Stow Esq for the use of the Occupiers for the time being of his present Dwelling House called Hall Place in Dulwich for 42 years from Michaelmas 1811. 4 seats for £32.
5. To John Bowles Esq for the use of the Occupiers for the time being of his late house in Dulwich now Richard Woods for 84 years from Lady day 1787. 4 seats for £32.
4. To Thomas Fleming Esq for the use of the Occupiers for the time being of his present Dwelling House in Dulwich for 31 years from Michaelmas 1812. 4 seats for £32.
7. To John Willes Esq for the use of the Occupiers for the time being of Mr Willes's late House formerly Alderman Wright's now Benjamin Bond Esq for 21 years from Lady day 1811. 3 seats for £24.
8. To M^{rs} Maria Warner for the use of the Occupiers for the time being of her dwelling House in Dulwich late William Huck's Esq. for 84 years from Lady day 1794. 3 seats for £24.
9. To William Raincock Esq for the use of the Occupiers for the time being of his present Dwelling House in Dulwich for 21 years from Lady day 1818. 3 seats for £24.
10. To Peter Wynne Esq for the use of the Occupiers for the time being of his present Dwelling House late Benjamin Fayles in Dulwich for 63 years from Lady day 1812. 3 seats for £24.

Pews.

- No. 11. To John Owen for the use of the Occupiers for the time being of the Dwelling House adjoining Dulwich Common belonging to Bishopsgate late Robert Skelton now Captain Hullah for 21 years from Michaelmas 1812. 3 seats for £24.
- 12 & 13. To William Simpson Esq for the use of the occupiers of the Houses built by him on the South Side of Herne Hill for 84 years from Lady day 1813. 5 seats for £40.
15. To John Adcock Esq for the use of the occupiers for the time being of his present Dwelling House in Dulwich for 63 years from Michaelmas 1796. 3 seats for £24.
- 2, 3 & 16. To M^{rs}. Ann Willes for the use of the Tenants of her Copyhold Houses in Dulwich viz^t
 No. 3. for Stephen Hall's House. 4 seats for £32.
 2. Nelson and house adjoining. 4 seats for £32.
 16. Matthew Robinson. 3 seats for £24.
- To be used for the same Term as the Pew No. 18, viz^t for 84 years from Michaelmas 1785.
17. To Robert Crafton Esq. for the occupiers for the time being of the House near Dulwich Common now Captain Hodges for 84 years from Lady day 1810. 3 seats for £24.
18. To John Willes Esq for the use of the occupiers for the time being of his late House called College Place now Francis Rougemont's for 84 years from Michaelmas 1785. 3 seats for £24.
19. To William Vizard Esq. for the use of the Occupiers of his present house called Kingswood in Dulwich for 84 years from Michaelmas 1811. 6 seats for £48.
20. To Charles Frederick Hennings Esq for the use of the Occupiers of his present House in Dulwich for 84 years from Michaelmas 1803. 5 seats for £40.
21. To John Whitfield Esq for the use of the Occupiers of his present house in Dulwich for 21 years from Michaelmas 1813. 5 seats for £40.
22. To Thomas Lett Esq for the use of the Occupiers of the other House agreed to be built by him on the Back Ground for 84 years from Michaelmas 1810. 5 seats for £40.
23. To John Benjamin Parley for the use of the occupiers of the House in Dulwich late in his occupation now Philip Gowan's for 84 years from Michaelmas 1794. 4 seats for £32.

The subscriptions thus amounted to £1384.

On the 6th July 1824, it was " Resolved that the donations to the poor " Scholars who have conducted themselves to the satisfaction of the College " in the time of their apprenticeship be increased from Ten to Twenty five " pounds," and on the 11th March 1828 this gift was further increased to thirty pounds.

For some years subsequent to this the affairs of the College present nothing of interest. The Master, Warden, and Fellows appear to have lived in harmony, and the "Private Sittings" books contain nothing but ordinary minutes concerning the letting of lands.

In 1829 the following memorandum was made at the March audit :—

The Master having purchased a share in the London University and by a minute of Council of that Institution dated the 5th January 1828 having obtained leave to enter it on their books in the name of the Master of Dulwich College for the time being, Requests permission to have this Donation recorded in the Audit Book of the College, that future Masters may understand it is for the use of those who have been poor scholars of this College, every Dividend, Profit, or other advantage arising from it, being applicable exclusively to their benefit. The master selecting from time to time for that purpose from such as have been poor scholars of this College those who from their good conduct during their apprenticeship and from the desire they manifest for Instruction seem to him best entitled to that privilege.* JOHN ALLEN.

Mr. John Whitfield of Dulwich died on the 20th January 1829, and the following is an extract from his will, dated 24th April 1826 :—

I give and bequeath unto the Master and Warden of the College of God's Gift in Dulwich who shall be such at the time of my decease the sum of Six hundred and sixty five pounds thirteen shillings and four pence three pounds per cent reduced annuities : Upon trust that they and their successors, Master and Warden of the said College for the time being do and shall from time to time receive the Interest thereof and lay out such Interest annually in Bread and Potatoes and other necessities and distribute the same in the months of December, January, and February in each year unto and among such twenty poor widows of the hamlet of Dulwich as they the said Master and Warden for the time being, shall in their discretion think most to stand in need of such assistance and in proportion to their respective Families and wants. And I will that upon the decease of any Master or Warden, or in case of any Master or Warden of the said College quitting the same, the said stocks or Funds shall from time to time be transferred in the names of the surviving or continuing and the newly appointed Master or Warden of the said College.

These doles are now (1888) distributed by the chaplain of the College, the Chairman of the Governors and the Master being nominally joined with him in the administration of the fund.

* The London University was founded by Lord Brougham and others on the 11th February 1826, and a capital which was not to exceed £300,000, or be less than £150,000, was offered for subscription in shares of £100 each, every proprietor having the right to present one student in respect of each share held by him. The dividend on the shares was not to exceed 4 per cent. per annum. The capital actually raised was £153,600, the building in Gower Street being opened on the 1st October 1828.

The name of the institution was altered to University College by Royal Charter on the 28th November 1836, on which date the University of London received a charter as an examining body.

The charter of University College was annulled by an Act of Parliament in 1869, whereby the College was reincorporated with additional powers, and divested of its proprietary character, the existing shareholders becoming governors. The Master of Dulwich College for the time being is, by virtue of the above gift of John Allen, still a governor of University College.

The Archbishop of Canterbury, Dr. Charles Manners Sutton, died on the 11th February 1828, and was succeeded on the 8th August by Dr. William Howley, Bishop of London. On the 16th January 1829, the Master had an interview with the new Visitor, which is thus reported in the Private Sitzings book :—

The Master having solicited an audience of the Archbishop of Canterbury in order to explain to his Grace the manner in which the College had been conducted under the late Visitor, went by appointment to Lambeth Palace on Friday the 16th inst, accompanied by the Warden and M^r Vane representing the other members of the College. The Master entered into a long explanation with his Grace on the subject of the College in general, and more particularly on the education afforded to the Poor Scholars and the provision made for them when they quitted the College. The Archbishop appeared to be satisfied with this statement and declared it to be his wish that the College should be administered in the manner that had given satisfaction to his Predecessor. The Master assured His Grace that if any measures could be suggested tending to increase the usefulness of the College or add to the comfort or happiness of any individual member of it, it was his wish and he would venture to add, the desire of every other member of the College to carry them into effect to the utmost of their ability. The Audience, which lasted nearly an hour, terminated in the Archbishop saying that he should be at all times ready to receive any representations from the College on matters relating to its interest and improvement.

On the 14th March 1829, the following order was made as to the pews in the chapel which had not been specially appropriated to subscribers to the fund for the enlargement of the chapel completed in 1823 :—

Several persons, Tenants of the College and others, having applied for the exclusive use of certain Pews in the Chapel, which have not been granted for a term of years to their present Occupants, It is ordered, that the following Pews be let from Lady Day to Lady Day at the yearly rent annexed to each, with the power of resumption on the part of the College on giving three months notice to quit to the occupant. And that some order may be observed in the distribution of such pews in future when they become vacant, and that it may be known at all times what particular pew any one is entitled to occupy, It is further ordered, that when any person applies for the exclusive use of a Pew or when any alteration is made in the present distribution of the pews, an entry of the same shall be made in the private sitting book of the College.

Pews let at present to the undernamed persons at the annual rents annexed to each.

1. Under the Gallery—

No.				at £3	3 a year
1.	To L. B. Allen Esq ^r	.	.	.	3 3
14.	To Ch. Kingsley Esq	.	.	.	4 4
24.	To Rob ^t Currey Esq	.	.	.	4 4
21.	To Rev ^d Edw Smedley	.	.	.	3 3
7.	To Geo D. Raincock	.	.	.	4 4
22.	To Chas Clarke	.	.	.	

2. In the Gallery—

No. 8. To Francis Tuke Esq	at £6 6 a year
9. To Newman Smith Esq	6 6
10. To Sam ^l Page Esq	6 6
11. To M ^{rs} Hannon	4 4
12. To M ^r Walter Fawkes	4 4
13. To M ^{rs} Hall	4 4

On the 16th March 1830, the College elected Mr. (afterwards Sir) Charles Barry to be surveyor to the College in place of Mr. George Tappen, deceased.

There is still extant the draft of a letter which was written by the Master to Mr. Barry on the subject of his charges, by which it appears that they were at least double those paid to Mr. Tappen. The Master, without saying that these charges were above those usually received by surveyors of eminence, points out that if they are enforced, the College will only consult their surveyor on occasions of importance, and not, as had been the custom, on all matters connected with his department. The difference, if it were a difference, was, no doubt, amicably arranged, as Mr. Barry continued to be surveyor till the disestablishment, and his son still holds the office under the present Estates Governors.*

On the 11th June 1830, Mr. Thomas Jenyns Smith, the senior Fellow, who had been a member of the College for the long period of forty-seven years, died. At the election of his successor, held on the 7th July, there were six candidates, but only four members of the College present to vote, Mr. Vane, the schoolmaster, being absent.

The eight votes were equally divided between the Revs. John Sinclair,† John Lindsay, the usher, William Jeffrys Allen, presumably a relative of the Warden, and John Image. The Master gave his casting vote in favour of William Jeffrys Allen and John Image, and these two drawing lots, Mr. Image was elected.

In 1831 another important building operation was resolved upon, it being ordered on the 3rd May, "That M^r Barry be empowered to obtain

* Mr. Barry's charges were:—

For works executed from Plans of architects and under his superintendence	5% on Cost
For examining Tradesmen's Bills	1¼% on amount
For taking an account of Dilapidations and Repairs, valuing the same and reporting thereon	3¼% on amount
For valuation of property and report thereon	5% on annual rent
For attendance at the College	42/ per diem
For interviews with persons on College business from home 21/—at home	10/6
For making plans of property self	63/ per diem
and clerks 15/ per diem with Travelling expences.	

† Afterwards Archdeacon of Middlesex, and Vicar of Kensington.



Dulwich College.
1832 - 1860.



Dulwich College.
1832 - 1860.

“from the proper Tradesmen estimates of the expence necessary for
 “executing the proposed additions to the West Wing and internal
 “alterations in the East Wing contained in the plans he has submitted
 “to the College. And that he proceed thereupon to carry the same into
 “effect without delay.”

Mr. Barry's estimate, dated 21st of May 1831, was as follows :—

Proposed additions to the west wing,	.	.	£2032
Proposed alterations in the east wing,	.	.	1554
			<hr/>
			£3586

On the 23rd September 1831 it was agreed that, Mr. Lindsay (the third Fellow or usher since 1814) having submitted to Mr. Barry, the surveyor of the College, a plan for erecting at his own expence a new staircase to the chambers at the northern extremity of the east wing, permission be given to Mr. Lindsay to erect the same. The staircase was erected accordingly, and a new oriel window added to the apartments; but Mr. Lindsay having resigned in June 1834, the College repaid him the cost of these alterations, as appears by the following minute, dated 30th October 1834 :—

Having regard to the shortness of the time during which M^r Lindsay has occupied his new apartment and considering the staircase and oriel window which with permission of the College he erected at the Northern extremity of the East Wing, to be at once convenient and ornamental, the College agree to defray the expence of the same from the building fund, and authorise the Master to settle with M^r Lindsay accordingly, it being understood that the Lindsay arms placed over the Oriel window be effaced at the pleasure of the College and expence of M^r Lindsay.

The disputes between the College and the churchwardens, which had been dormant since 1798, were revived about this time.

On the 4th March 1833 the assistants signed the following entry in the audit book :—

We the respective Churchwardens of S^t Botolph without Bishopsgate London, S^t Saviours Southwark and S^t Luke Middlesex claim on behalf of our respective Poor men and Women elected pursuant to the Statutes of Edward Alleyn Esq Founder of God's Gift College Dulwich, to have the Almshouses of our respective Parishes forthwith put into a sound state of repair. And we further claim for the said poor Men and Women to have their Pensions of Six Pence a week paid, and to have Gowns allowed them pursuant to the 113th statute of the said College. And we further claim that the said Poor men and Women shall be allowed at this present audit Thirty nine shares out of the Six hundred shares of Surplus Revenue, and fifteen more of such shares for the bettering of their Gowns pursuant to the 117th Statute of the said Foundation.

To which the Master, Warden, and Fellows added :—

We the undersigned Master, Warden and Fellows of God's Gift College present at

this Audit, object to the claim made by the Churchwardens, and deny the Right of the Persons on whose behalf the Claim is made. And as the Visitor of the College on the occasion of a former claim, sanctioned the refusal of the College & allowed the College to defend themselves at Law, The College decline to admit the same, unless established by the Judicial decision of a Competent Court of Law.

The assistants did not go to law, but they moved the Charity Commissioners to make an inquiry into the state of the College. It is remarkable that, with the one exception given below, no mention whatever occurs either in the audit book or in the Private Sitzings book of this inquiry. The Commissioners, however, made a report on the 19th July 1834, which shows so clearly the position of the College affairs at that time that it is given almost *verbatim*.

REPORT OF THE CHARITY COMMISSIONERS, dated 19th July 1834.

The report commences with a recital of the Letters Patent of King James I., dated 21st June 1619, of the deed of foundation of the College, dated 13th September 1619, and of the deed of conveyance of the lands mentioned in the patent, dated 24th April 1620, which conveys the said lands to the sole and only use of the Master, Warden, four Fellows, six poor Brethren, six poor Sisters, and twelve poor Scholars, and their successors for ever; and to no other intent, use, or purpose whatsoever, and proceeds:—

The said Edward Alleyne having thus founded the college, and made provision for the support thereof by a writing under his hand, dated 29th September 1626 after reciting the power given him by the said letters patent of making statutes and rules for the maintenance, education and government of the said college, ordained and made for that purpose the several statutes and ordinances which are therein mentioned: they are 124 in number; and the substance of those which are the most important is here given. Whenever the provisions of a statute are not closely followed, observations are annexed, pointing out the nature and extent of the departure from them which has taken place; in all cases where none such occur it is to be understood that the statutes were found upon inquiry to be still in observance.

The following are the observations referred to, with the number of the statute and a short reference to its object:—

Statute 2. Chaunters, Assistants and Members.

None of the six chaunters here mentioned have ever been appointed. The powers and privileges of the six assistants and 30 members are specified in statutes 8 and 42.

Statute 5. Fellows and Chaunters.

It has been observed under statute 2, that no chaunters have ever been appointed. The two senior fellows have invariably been masters of arts of the Universities either of Oxford or Cambridge.* The third fellow has always been a graduate and a divine, and the fourth has sometimes been a divine, but not often. The usage for many years

* This is not exact: Mr. Hume, Second Fellow from 1706-1730, was M.A. of Edinburgh. See also p. 258.

past has been, that the first fellow performs the duty of preacher, the second that of schoolmaster, the third acts as usher, and the fourth as organist. The second and third also read the prayers daily.

Statute 6. Expulsion.

Of late there has been no case of expulsion, and the demeanour of the poor brethren and sisters has been so regular, that there has been no occasion for enforcing it.

Statute 7. Poor Scholars.

There are always three boys in the school from each of the four parishes of S^t Saviour, S^t Giles alias S^t Luke, S^t Botolph, and Camberwell. Each election takes place whenever a vacancy occurs. See statute 23. They are chosen in the following manner: In S^t Saviour's notice is given in the parish Church of the time of election when a vacancy occurs, and of the requisite qualifications of the boys; the candidates are numerous, and from them the churchwardens select four, who on the day of election are all presented together to the College. No regard appears to be paid by the churchwardens to the capacity or attainments of the Candidates. In the parish of S^t Giles alias S^t Luke, there are 57 guardians of the poor, including the rector, two churchwardens, and six overseers. The guardians alone vote when a vacancy occurs. Notice of the day of election is given in the parish church.

The four boys who have most votes are recommended to the churchwardens to be proposed to the college, and this recommendation is invariably followed. Orphans have always been preferred, and none but orphans have of late been recommended. Notice of the day of election is also given in the parish church of S^t Botolph, and orphans are considered entitled to a preference, if their parents were respectable and in decayed circumstances. All rate-payers are entitled to vote, and those boys who have the greatest number of votes, whatever may be their disposition or capacity, are selected. Few boys have been sent from this parish of late who have not lost at least one of their parents.

When four boys have been sent down to the college by any one of the three parishes on the day of election one is thus elected: the master selects one whom he considers upon the whole the most promising. The Warden in like manner selects another from the remaining three. The two thus preferred then draw lots, and that one who draws the lot called "God's Gift," becomes thereby elected, and is immediately admitted to the school.

The election of boys for the fourth parish, viz. that of Camberwell, has by virtue of the 24th statute been supposed to vest solely in the Master, Warden and fellows of the College, and has always been exercised by them. The election for the Camberwell boys also takes place, but is made whenever a vacancy occurs. Boys from that part of the parish which is comprised within the hamlet of Dulwich have a preference, and it has seldom been necessary to resort to any other part of the parish to fill up vacancies occurring.

Statute 8. Assistants.

The churchwardens attend twice a year at the audit of the accounts, but except on those occasions and on others where the rights of the parishes are concerned, have never interfered or voted in the government of the College.

Statute 10. Members.

An account of the three sets of almshouses belonging to the three parishes

will be found in our former reports—Sixth p. 568; Twentieth p. 357, and twenty second p. 43.*

Those in S^t Botolph are now in so ruinous a condition, that the poor men and women sent only occupy them a few nights before they go from thence to the College, in order to give them a qualification. Those of S^t Saviour's are much dilapidated, but inhabited, and those of S^t Luke's are now in good repair. It does not appear that any part of the expense of repairing any of them has ever been defrayed out of the funds of the College.

The benefits of the College are so considerable, that few of the poor men and women who have been sent from any of the parishes for a considerable number of years back have exactly answered the description given in this statute, most of them have rather been decayed housekeepers of respectable character who were in other respects duly qualified.

It also appears that the Parish of S^t Luke's, at least in the years 1831 and 1832, induced those who were candidates for becoming poor sisters, to enter into an agreement, that if successful they would pay £50 a year to the five poor women living in the parish almshouses built by the founder of the College, and that this contribution has on several occasions been actually paid.

Statute 17. Security to be given by Warden.

As the revenues of the College have within the last 30 or 40 years so much increased, the Warden now gives security himself in £8000, and four securities in £2000 each.

Statute 23. Mode of Electing Poor Scholars.

This direction is followed, and other explanations are given under statute 7.

Statute 30. The Master's Office.

Though all the subordinate directions contained in the statutes are not literally enforced, this statute is carefully observed, except that the master does not always personally inspect the scholars chambers weekly. We were informed by the master that strict attention is paid to whatever concerns the poor brethren, sisters and scholars and their apartments, and are satisfied that this is the case.

Statute 33. The Fellow's Office.

The first fellow preaches twice every Sunday. The annual sermon required by the statute is not preached on the 1st September unless that day happen to be a Sunday, but is preached on the Sunday next after the 1st September. A sermon is also preached on Christmas day. The second and third fellows are the readers alternately. As respects the attendance and singing in the chapel the 33rd statute is not literally observed. The first Fellow keeps the register of baptisms and burials and, together with those fellows who are in orders, administers the Sacrament, christens, visits the sick, and attends funerals.

* Those in Bishopsgate were originally in Petty France, which, being altered into Old Broad Street about 1730, the almshouses were rebuilt in Lamb Alley; those in S^t. Luke's were originally in Pesthouse Lane, Old Street; and those in Southwark in Deadman's Place.—*Highmore's Pietas Londonensis*, p. 458.

Statute 35. Duties of Six Chaunters or Junior Fellows.

It has already been mentioned, that no chaunters have ever formed part of the college.

Statute 36. Poor Brethren to sweep and keep clean.

The college is carefully kept clean, but by persons hired for the purpose.

Statute 37. The Matron.

A matron is appointed, who also attends the 12 poor scholars. The weekly six-pences required to be given to her by her five sisters are paid by the college. The distribution of goods has, by the consent of the poor brethren and sisters, entirely ceased, greatly to the comfort and advantage, as it is conceived, of the almspeople.

Statute 38. Poor Sisters to be Bedmakers.

The offices here specified are now performed by a servant hired by the college.

Statute 40. Duties of Porter.

The butler now and for a considerable time past has acted as porter. He attends strictly to the regularity and security of the college, though from change of times, not in all particulars according to the directions here given.

Statute 42. Duties of Members.

None of the members here mentioned now repair to the college, or receive any allowance from it. Whether any of the 30 members have a right to any is one of the points now in dispute between the college and the parishes.

Statute 45. Absence of M^r Warden and Fellows.

With respect to the rules respecting residence, contained in statutes 43, 44, and 45, we found that until about 1800, a few sheets of paper were stitched together and kept in the college, called an Exeat-book * in which memorandums of leave of absence were entered. This was signed by one of the officers of the College, but not kept regularly, and since 1800 no book has been kept at all. A verbal licence, given by the Master, Warden or one of the fellows to each other, is all that is now required, care being taken that the duties of the person temporarily absent shall continue to be discharged by one of those who continue resident.

The Master is allowed by the statutes to be absent † 196 days in each year, and since the present master (John Allen) has been appointed to that office his residence in or attendance at the College, as stated to us, has been as follows. He has attended at the college twice or oftener every week at least, and remained there part of the following day. He always attends service in the College chapel once at least on Sunday. He is also present at the settlement of the weekly accounts of the Warden, on all public days appointed by the statutes, and on other occasions is within reach and attends whenever his presence is required.

The present warden (Jeffrys Thomas Allen) is generally resident at the college,

* This is an error, as there are extant in the College six exeat books containing regular exeats from 1696 to 1820, with the exception of the period between 1779 and 1782.

† I.e., 3 days in every week, or 156 days, and 40 days in the year, together 196 days. This mode of reading the statute is open to grave doubt, though always acted upon.

and since his appointment his absence has seldom exceeded 40 days altogether in any one year.

It appears to us, that the verbal leave of absence which since 1800 the master, warden and fellows have been accustomed to give to each other, is a departure from the directions of the founder, and that the required forms of leave of absence ought in future to be observed. It also appears to us, that the provisions of the 44th statute extend to the master and warden as well as to the fellows, and that no leave ought to be granted to either of them above 40 days in any one year.

Statute 50. Property of the 30 Poor Members.

Not now in operation, as none of the 30 members have any benefit from the college.

Statute 51. Directions as to Poor Brethren and Sisters Pensions.

This not now necessary, from the respectability of the parties concerned.

Statute 52. Brethren and Sisters not to visit each other.

From the age and respectability of the poor brothers and sisters the enforcement of this statute is thought inexpedient.

Statutes 53, 54, 55, 56, 57, 58 and 59, relate to various details touching the inspection and government of the College and conduct of the fellows, poor brothers and sisters. They are all considered as strictly in force, but the decent and obedient behaviour of all the members of the College for many years past, has rendered it unnecessary to enforce the penalties prescribed.

Statute 60. Services in Chapel.

In consequence of the Chaunters never having formed part of the College, it has not been practicable to comply literally with this statute. Service is now performed twice on every Sunday as in other churches, at half past 10 in the morning and two in the afternoon, and the prayers read daily in the chapel. As much attention is said to be paid to music as the actual constitution of the College will allow.

Statute 66. Education in the School.

The superior sort of education contemplated by the statutes, if it ever was in fact afforded, has for many years ceased to be so. On the 9th december 1724 Archbishop Wake, then visitor, gave to the college in writing what is called an injunction, which so far as it relates to the school, is in the words following: "that if at the age of 14 a boy be judged incapable of being qualified for the university, he be taught the vulgar arithmetic and to write a good hand, and at a competent age be put out to some trade of the better sort, agreeable to such an education; and that the warden be in a more particular manner charged with the care of providing such a master as may be approved of by the society, one of an unblemished character, strictly sober and virtuous, and a constant frequenter of the established church, it being of the best importance and that upon which their future well being in so great a measure depends; and that an entry be made in a register, to be kept for that purpose, of the master's name, trade and place of habitation, and the sum of money given with each boy, that the same may appear to us or our successors, whenever called for; and every

“ boy who shall hereafter serve the whole time of his apprenticeship with diligence and honesty, shall at the expiration thereof upon a proper certificate from his master, be entitled to the sum of £5 from the college.”

The interpretation practically put upon this injunction, at least ever since any poor scholars have ceased to be sent to the university, has been that the prime object of the education given to the poor scholars should rather be to qualify them for becoming intelligent and respectable tradesmen than to advance them far in a knowledge of Greek and Latin.

We were informed by the present master, that when he became warden in 1811, he communicated to the visitor his desire to make the school as efficient as possible, and that the visitor intimated in return that the school had engaged much of his (the visitor's) own attention; but he found so many obstacles to any alteration in the course which had been long pursued, that he recommended the college to go on as they were then doing, and qualify the boys for becoming respectable tradesmen.

At the time of our examination dissatisfaction prevailed, to a greater or less degree, in all the parishes interested; not with respect to the sort of education proposed to be given, but of the little proficiency alleged to be made by some of the scholars in those branches of learning now professed to be taught. We found upon inquiry,—that the scholars are instructed in reading, writing and arithmetic, the elements of history and mathematics; and two boys out of the 12 are now learning the Eton Latin Grammar which the present master of the school has always used instead of the grammar used at Westminster and St Pauls schools as recommended by the statutes. There have been as many as five or six boys learning Latin grammar at once; but the master does not think he is called upon to give the boys a good Latin education. We however do not concur in this view of the duties of the master. It appears clearly to have been the intention of the founder that a classical education should be afforded, through which scholars for the fellowships of the Foundation should constantly be supplied. We examined the school and scholars in the presence of all the assistants and other persons from the different parishes, and, so far as we could discover, no ground exists for the complaints brought forward. The scholars appeared to us to be carefully instructed in those branches of learning which the master professes to teach. It appears to us at the same time to be extremely desirable, for all parties concerned, that the parishes should pay much more attention than they have hitherto done to the qualifications of the boys sent.

All the poor scholars now in school, except one, are taught music by the organist, and all who sing form part of the choir. The six most advanced sing in the chapel. The sort of music enjoined by the statute is sung, as far as the number of voices and progress of the boys will allow.

Besides the 12 poor scholars, there have, since the appointment of the present master, who became warden in 1811, always been some, and occasionally as many as three boys, inhabitants of Dulwich, receiving instruction in the School gratis. The schoolmaster is willing to receive more, but they are not offered, and no children of any other sort are taught in the school. The reason why more children are not sent to the college school appears to be, that the rich are not willing that their children should associate with boys of such habits as parish boys usually have, and the children of persons in a lower condition in life have ample means of instruction in reading, writing and arithmetic, gratis, at the free school founded and endowed in Dulwich by James Allen in 1741, besides the advantage of a great number of the scholars being clothed by the liberality of the inhabitants of the village.

Statute 69. Removal of Inmates in case of Contagion.

There has not for a great length of time been any occasion for enforcing this statute.

Statute 70. Foreign Scholars.

For many years past no foreign scholars have asked to be admitted into the college school.

Statute 72. Teaching of Music.

No music masters having ever been appointed, this statute could not come into operation.

Statute 73. Hours of Schooling.

The present school hours are from six in summer and seven in winter till eight, and from nine to half past 10 in the forenoon. The scholars then attend chapel from 10 to 11; they return to school from 11 to two, and again from five to six in the evening. The schoolmaster himself attends during one half of the school hours, and the usher the other half. From three to four all those now in the school, except one, are taught music by the organist.

Statute 74. Hours of Music Lessons.

The regular hour at present for those who are taught music by the organist is from three to four, as mentioned under the statute immediately preceding.

Statute 78. Manner of Teaching.

The manner in which this statute is observed is specified under statute 66.

Statute 80. Visit to Westminster and Merchant Tailors Schools on Election Days.

This has not of late been complied with, and as a reason for its disuse, the master informed us that he conceived, from the youth and comparative backwardness of the boys, that compliance with it could in no way be advantageous to them.

Statute 81. Scholars to be sent to Universities.

From 1619 to 1650 none were sent to the university; from 1650 to 1690, 12; from 1690 to 1714, none; from 1714 to 1770, six; since 1770, none. The last boy had £25 a year for eight years.

Statute 82. Allowances to Boys after leaving.

The boys are apprenticed at 14, because, as the apprenticeship is for seven years, it would be difficult to find good masters after that age. The most respectable trades or occupations are selected, and such as are most suitable to their dispositions and capacity. The numbers apprenticed have been from 1619 to 1636, none; from 1636 to 1700, 52; from 1701 to 1799, 124; from 1800 to 1833, 52.

£155 is usually laid out on each boy in the following manner: £30 to the master at binding, an outfit of £20 to the boy, in money or clothes, £10 a year during the apprenticeship for clothing and washing, and at the end of the apprenticeship, if a certificate of good conduct is brought, he receives the further sum of £35 instead of the £5 directed by Archbishop Wake's injunction above mentioned.

Statute 83. Admission of Poor Scholars as Servants.

It has already been mentioned that no boy has been sent to College since 1770, or asked to be admitted as a servant or officer of the college.

Statute 85. Diet.

From change of times, and other circumstances, the minute directions given respecting diet, from the 85th to the 91st statute inclusive, have not for many years been strictly followed; some of them have been varied, and others gone entirely into disuse. The provisions supplied to all persons connected with the college are more abundant than those directed by the founder.

The master, warden and fellows dine in the parlour, and the boys, at an earlier hour, in the hall. The boys are not now required to wait, as directed by the founder.

Statute 92. Clothing of Poor Scholars.

Each boy has now two suits of clothes every year, and of linen, shoes, stockings, and other articles of that nature, whatever the matron who has charge of them thinks necessary, without limitation. They have of everything nearly double the quantity, and of better quality, than directed by the statute.

Statute 93. Private Sitzings.

Private sittings are always held when required, and even oftener than directed, but not always on the day or in the manner specified.

Statute 94. Audits.

The accounts are regularly and strictly examined, and the buildings surveyed and repaired, but not exactly in the manner here pointed out.

Statute 95. Complaints and Appeals.

There has not of late been any occasion for enforcing this statute.

Statute 97. Care of Property.

The master, warden and fellows are careful to keep the Muniments, plate and other property of the college, but it is not now done in the precise manner pointed out in the two preceding statutes.

Statute 98. Lodgings.

The college has undergone so many successive alterations, that a literal compliance with the statute has become impossible. The present buildings afford ample accommodation for all the persons for whom the founder has provided apartments.

Statute 99. Lodgings.

The brethren have each three comfortable apartments, and the sisters two each, all of which have lately been either rebuilt or improved.

Statute 102. Leases.

The lands and houses are let at the half yearly audits, on the 4th March and 4th September, at which the assistants attend. They are not let by auction or written

tender. It is always publicly known when any are vacant and to be let, and the master, warden, and fellows previously ascertain the fair value, and consult their surveyor whenever they deem it useful or necessary, and they enter into treaty previous to the audit days with those who propose to take or continue the same. The property is always let at the highest rent that can be obtained. No fine is ever taken, and the previous treaty is always submitted to the public audit, and carried into effect with the sanction of the assistants then present.

In consequence of the situation of the college land rendering it peculiarly eligible for villas, an Act was passed on the 18th June 1808, giving power to the college to grant certain leases therein specified for 63 years, and for 21 years after the expiration of the 63, upon payment of fines, which fines were directed to be applied in repairing or rebuilding the college. The Act also empowered the college to grant leases generally for 84 years to persons willing to build, or make substantial repairs on their estates. All the subsisting leases granted under this Act will be found in the Schedule of the college property contained in a subsequent part of this Report.

The fines received from persons specified in the first schedule to the Act amounted to £2972. 10s., of which £1294. 17s. 9d. was laid out in redeeming the land tax of £49. 18s. 8d. per annum due from the college estate in the Camberwell part of Dulwich, and the remainder was added to the repairing and rebuilding fund created by the Act.

Statute 106. Coppice not to be Leased.

None of the 200 acres mentioned in this statute have been grubbed up or leased.

Statute 108. To be used as Fuel.

The copse wood is now sold and accounted for to the college, and a sufficient quantity of coals and wood is purchased for the college use.

Statute 110. Timber not to be Felled.

No timber trees are cut unless with the sanction of the visitor given from time to time, and even then not unless proper for felling, and the proceeds are applied for the improvement of the college and its property, and the surplus is added to the repairing fund.

Statute 111. Timber felled to be used on Estate.

There being more timber upon the college lands than is necessary for the building and repairs of the college or use of the tenants, the surplus has been disposed of for the improvement of the college or its estates. None has been felled that was not of full growth.

Statute 112. Husbandry to be Maintained.

This statute has fallen into disuse for 150 years past, arising from the change in the manners and habits of the times.

Statute 113. Servants.

A servant is kept for the Master, another for the warden, and a sufficient number of servants for the use of the college, but changes have been made in the employment of several of them, and in the dress and wages of all, according to the change of times.

Statute 114. Disposition of Revenue.

The manner in which this statute is observed will be adverted to in a subsequent part of this Report, where the present actual distribution of the annual income of the charity is specified.

Statute 116. £100 to be kept in the Treasury.

There is always much more than £100 in the Treasury, as will be hereafter mentioned.

Statute 118.

The remainder of the 600 parts should be delivered to the said warden, as the first receipt of monies to be delivered for the benefit of the college.

All the payments imposed on the annual revenues of the college, to the amount of £600, have in substance been discharged from the time of its foundation to the present, except that nothing has been paid in respect to the maintenance or allowances of the six chaunters, or of the 30 out members.

Statute 121. Failure of Fit Persons in Parishes.

This contingency has never happened.

Statute 122. Application of Penalties.

There has been no occasion for many years to make any of the deductions here specified.

Statute 123. Statutes to be Read.

The statutes are not read as here directed. The master, warden, and fellows have copies. The statutes are in print, and many other members of the college have copies.

The founder having made these statutes on the 29th September 1626, by his will dated 13th November of the same year, and proved at London the 13th of December following, gave to the college a seal ring with his arms, to be worn by the master and his successors, and appointed a common seal to be made for the college. He also bequeathed to the college his pictures, books, instruments, and some pieces of furniture specified in his will, which he directed should be kept in repair continually.

He also thereby directed that his executors should within two years after his decease build 10 almshouses in the parish of S^t Botolph without Bishopsgate, for 10 poor people of that parish to be members of the college; 10 other houses in S^t Saviour's Parish, for 10 poor people of that parish, to be likewise members of the college; which 20 poor people should have the maintenance set down in the statutes of the college.

He also bequeathed to the churchwardens of S^t Botolph's without Bishopsgate, and their successors for ever, a tenement in Dulwich, with the appurtenances, called the Blew House, for the only use of the poor of their said parish to be by them employed in such manner as directed by the statutes of the said college.

He then charged £1500, which was to be applied for the benefit of the 30 members,* upon two leaseholds, then held by him, one of which was an inn called the Unicorn, and the other consisted of premises called the Barge, the Bell and the Cock;† and

* The Commissioners are here in error: the £1500 charged on these leaseholds was in favour of Alley's wife, Constance. See the will on pp. 92 *et seq.*

† From contemporary documents it appears that "the Barge, the Bell and the Cock" was one tenement.

after payment of the above mentioned sum, directed that the said leaseholds should remain to the college.

It is denied, on the part of the college, that the college ever received any part of this £1500, and we found no reason to doubt the accuracy of the statement. The 30 poor people do not receive the maintenance set down in the statutes, for the reasons which will be mentioned in a succeeding part of this Report.

Having thus gone through the whole of the statutes, and annexed to them such observations as appeared necessary to show in what manner they are still observed, we shall now proceed to specify the present real and personal property of the college, and sums and proportions in which its annual income is distributed.

The real property now possessed by the college, consists of the estates originally given to it by the founder. Little alteration has been made in them either by exchange, sale or purchase. The College, as has been already mentioned, laid out £1294. 17s. 9d. in redeeming the land-tax on their estate in the Camberwell part of Dulwich, amounting to £49. 18s. 8d. per annum. At a subsequent period £526. 12s. was laid out in redeeming the land-tax on the Lambeth part of their Dulwich estate, amounting to £12. 16s. 6d. per annum. This sum was raised by sale of an outlying piece of ground, of about an acre on the road-side at the bottom of Dulwich, and some timber. The land-tax is still collected from the tenants, according to the extent of their tenures, and has been regularly carried to the building and repairing fund. No part of it has been applied to the general purposes of the college.

[Here follows the schedule of all the lands belonging to the college.]

The college itself is a large building, two stories high, forming three sides of a square. The public apartments consist of a chapel, dining hall, parlour, library, kitchen, and appurtenances.

The chapel is used as the place of public worship for the inhabitants of Dulwich, as well as for the inmates of the college.

The clerical fellows perform all ecclesiastical duties within the college and Dulwich, which by law they are allowed to do.

The college also contains private apartments for the master, warden, four fellows, six poor brethren, and six poor sisters, accommodation for servants and stabling.

For the 12 poor scholars there is a school room, dining hall, and dormitories.

The garden contains about three acres. The field called the Howletts, mentioned in the 104th statute, kept in hand, contains about nine acres. Two grass fields, also kept in hand, occupy about six acres, part of one of the latter being used as playground for the scholars.

Since the college obtained the private Act in 1803, the west wing has been partially rebuilt, and extensive repairs have been made throughout the whole buildings, at an expense in 1817 of £4602, in 1821 of £3823, and in 1831 of £6865.

In the above expenditure the whole building fund which had been accumulated, has been exhausted, and £207. 12s. 7d. still remains to be provided for by the future receipts of the land tax, and other savings to be made by the college.

From 1812 to 1833 £22,203. 18s. 5d. have been laid out in building and repairs.

The College itself, and all buildings appertaining thereto, are now in excellent condition.

The following Schedule of receipts and payments for 1832, extracted from the account book of the college, shows the present average amount of its yearly income and expenditure:—

D ^r	£	s.	d.
Gross half year's rental due Lady day 1832	3589	4	10
Extra and casual receipts	10	12	0
Half year's rental due Michaelmas 1832	3675	3	2
Extras and arrears of rent	606	10	7
Difference between the fractional balance in 1832 and the fractional balance in 1833	11	19	7
The division is always made on a round sum. The fractional part, which is thrown back into the fund for next division, is sometimes larger, sometimes smaller. This year it was diminished by the sum above stated.			

£7893 10 2

C ^r	£	s.	d.
For the diet, &c. of the Master, warden and fellows, scholars and servants, and the general expense of the establishment for one year, for which the founder has apportioned 254½ parts, out of 373½ parts to be left in the Warden's hands every 4 th March	1911	2	0
Servants' wages and liveries for the college chapel and general establishment for which the founder has allowed other 27 parts out of the 373½ parts above mentioned	197	3	4
Paid for the apprenticing poor scholars and for their annual clothing and gratuities, on completing their apprenticeship	275	0	0
The twelve poor scholars			
For their apparel	£127	10	2
For books, stationery	22	11	3
Medical assistance	9	15	6
	159	16	11
The salaries of the master, warden and fellows	141	2	4
The pensions to the 12 poor brethren and sisters £5. 12. per month	£72	16	0
And to them, in lieu of bavins from the woods	24	0	0
And to the 12 poor brothers and sisters, also the balance of their six parts of the remains for bettering their gowns for two years	161	3	3
	257	19	3
For general repairs of the College, and of their estates, roads and highways, paid out of their annual income	585	3	5

	£	s.	d.
Their bailiffs expences in managing and looking after the estates, woods, farms and out-door charges, including the repair of the private roads from which a toll is received, and allowances .	451	9	6
Taxes and quit rents	209	15	9
Insurance of the College buildings	112	10	0
Furniture	54	14	1
The Library	30	0	0
The Steward's annual bill	63	16	7
The Assistants' horsehire	2	15	0
Sundry casual expences of the establishment during the year	100	4	6
	Parts		
To John Allen Esq., Master	40	590	0 0
Jeffrys Thomas Allen esq. Warden	30	442	10 0
Rev. John Image, first fellow, preacher	12	177	0 0
Rev. John Vane, second fellow, schoolmaster	12	177	0 0
Rev. John Lindsay, third fellow, usher	10	147	10 0
Rev. G. Browne, fourth fellow, organist	10	147	10 0
Twelve brethren and sisters one twelfth being £134. 11. 10½. each	109½	1615	2 6
The churchwardens' assistants	3	44	5 0
		<hr/>	
		£7893	10 2

The above sums paid to each of the members are independent of their board, lodging, and other advantages which they derive from the college.

The accounts have been examined, and appear to have been kept with great regularity and correctness. At March 4th 1833, which was the half year immediately preceding our inspection, a balance of £5521. 8s. 3d. remained in the hands of the warden to answer the charge of the half year following. It appears to us that so large a balance ought * not to be left in the hands of the warden.

Having now given an abstract of the existing state and distribution of the funds of the college, it becomes necessary to mention, that disputes have prevailed with little intermission between the college and the three parishes of S^t Botolph, S^t Saviours, and S^t Luke's, from the foundation of the Charity to the present time. These parishes allege generally that they never have derived that benefit from the college to which they are strictly entitled, or at least that they do not now derive that amount of benefit which the vast increase which has lately taken place in its funds entitles them to enjoy. The specific claims now or formerly preferred by these parishes against the college are four:

1. The right of the churchwardens of the three parishes to act as assistants to the college.
2. The right of the three parishes to have the almshouses for the 30 out-members repaired by the college.

* The Commissioners do not appear to have been informed that a considerable part of the Warden's balance was invested. See p. 321.

3. The right of the 30 out-members to the clothing, pensions and proportion of the surplus revenue assigned to them by the statutes.

4. That the permanent income of the college is now so great that the number of poor brethren and sisters ought to be augmented.

The first of these points appears to us to be set at rest by a decree pronounced by Lord Chancellor King, on the 4th April 1728, in a suit in which the Attorney-General, at the relation of Samuel Higgs and others, was the informant, and the master, warden, fellows, and poor brethren, sisters and scholars, and the visitor were defendants.*

From the recitals contained in that decree, it appears the information prayed that the churchwardens might be restored to the office of assistants in the college, and to the enjoyment of the powers given them by the statutes, and might be quieted in the enjoyment of the same.

The decree declares that Edward Alleyne, the founder of the college, could not, by his ordinances and statutes of the 29th September 1626, add any persons to the corporation, or make any new person a member of the body corporate, but that he could appoint assistants to the corporation; and it was therefore ordered that the churchwardens and their successors should be admitted to be assistants to the corporation, according to the statutes, without prejudice to the rights or power which belonged to the Archbishop of Canterbury as visitor.

This decree has ever since been submitted to by the parishes and the college. The six churchwardens of the three parishes are allowed by the college to act as assistants at their half yearly audits, and in the election of a warden, but they have never interfered in the election of any member of the corporate body of which the college consists.

With regard to the second claim of the three parishes, which is to have the almshouses for the 30 members repaired by the college, we have discovered no evidence whatever tending to show that any part of the expense of rebuilding or repairing any of them has ever been defrayed by the college, nor does the same, either by the deed of uses or the statutes themselves, appear to be charged upon the revenues of the college. We therefore think that this claim of the parishes cannot be maintained.

The main facts relating to the third point, viz. the clothing and surplus share of the annual income which the parishes contend ought to be given by the college to the 30 members, pursuant to the provisions contained in the 10th, 42^d, 103^d, 113th, 117th, and 119th statutes, appear to be these—

It certainly appears from entries made in a diary kept by the founder, and still preserved in the college, that various payments were made by him to or on account of the 30 members; and the statutes above referred to afford evidence that, at the time the statutes were framed, it was the founder's intention that the 30 members should form a part of the college. On the other hand, as the founder reserved a life interest in the property by the deed of uses conveyed to the hospital, any payments made by the founder during his lifetime can be no proof of the charges which were to continue on the property after his death.

It also appears that the pensions assigned to the 30 members were paid for a few years immediately following the founder's death in 1626. From that period they were discontinued, until Archbishop Sheldon in 1667, made the following amongst other orders for the regulation of the College:—

“We do therefore appoint, that between Michaelmas and Christmas next ensuing,

* See Chapter VIII. p. 248.

“ the said poor shall each of them have a gown of the price aforesaid and that from
“ and after our Lady day which shall be in the year of our Lord 1669, they shall each
“ of them weekly have their allowance in money of 6^d. per week, to be paid them as
“ the statutes do direct, and so from year to year ever after to continue.”

The allowance in clothing and money was continued from 1667 to 1724-25 with one interruption. This interruption took place in 1676. The college then refused to make the usual payments to the 30 outmembers. Archbishop Sancroft, then visitor, directed an inquiry, and thereafter ordered the warden of the college to pay two years' arrears, amounting to £88. To this order all the members of the college submitted, except the third fellow,* who refused to sign the accounts, and was expelled the college by the visitor.

The last payment made to the 30 members was in March 1725-26, when they received £19. 10s. in respect of the 39 parts out of 600 given them by the statutes. They did not in fact receive the gowns in 1725-26, for though the gowns were then ordered, they were not at that time actually bestowed, and the sum allowed for them in the audit books appears from the college accounts to have been brought back into stock in 1730.

It also appears, that soon after 1725-26 applications were made to Archbishop Wake, then visitor, for his interference, both on the part of the churchwardens and the college. The result was, that the Archbishop refused in any way to interfere. The churchwardens afterwards resolved to try the question at law respecting the rights of the 30 members, and the Archbishop by letter dated January 22^d 1728-29, allowed the college to defend the action. No action however was brought. In 1747 the churchwardens again ineffectually petitioned the visitor for the restoration of their pensions. Some steps were again taken for the same purpose in 1798, but were soon stopped. Since then the claim continued dormant until a short time previous to the institution of this inquiry.

The impression made upon us by the whole of these proceedings with respect to the 30 members is, that although their claims were neither directly put in issue by the pleadings in the cause brought before Lord King, nor determined by the decree pronounced by him in 1728, that the claim on their behalf was virtually negatived by the general principle on which the decree proceeded.

The 4th and last claim of the parishes is, that the share of the income of the college, which, according to the plan of distribution which has always prevailed, is so great, that the number of poor brethren and sisters who partake of it ought to be augmented. In bringing forward this claim, the three parishes question the legality of the distribution of so much of the annual income of the College as remains after defraying the general expense of the establishment, which has always been made by the master, warden and fellows. The founder has not, by the deed by which he conveyed his property to the corporation of the college, in any way fixed the proportions in which the rents and profits of it were to be divided among its members. These proportions are settled only by the body of statutes above inserted, which not only give directions respecting the government of the college, and interests of the corporate members of it to whom the founder's property had previously been conveyed, but set apart certain pensions and portions of the surplus income of the college to six chaunters and 30 outmembers, whom Lord King's decree of 1728 declares him to

* The Fellow expelled was not the third Fellow, but the first Fellow, the Rev. Francis Brockett See p. 170.

have had no right to add to the original corporation. The way in which the surplus income has always been distributed is this: the whole is divided into 600 shares, as directed by the 118th statute. Each member of the corporation then receives his statutory share, and the shares allotted by the statutes to the chaunters and 30 members are regularly thrown back every year into the Treasury, and are thus made to form the first item of the income of the college for the year following.

By this practice the present members of the college have evidently been receiving a larger share of its surplus annual income than is given by the statutes, or was intended by the founder; and whether the distribution now made be valid under the deed of conveyance, is a point which has never yet been determined and may perhaps be not quite certain.

Supposing however the plan of distribution now followed to be strictly legal, the extraordinary and apparently permanent increase in the annual income of the charity which has taken place within the last 30 years, seems to require attention.

The annual income was estimated by the founder at £800 a year, and for some years after his death it fell below that sum. In 1728 it had only risen to £1368. 18s. 3d. and the expenses of the establishment to £985. 16s. 8d. leaving a surplus for division of only £383. 1s. 7d.; £1. 10s. is said to have then been divided on each share.* From that time the revenue seems to have gradually increased; but its most rapid rise took place in the end of the last and beginning of the present century, and was owing to the improvements of the roads between London and Dulwich, and to the passing of the private act of parliament already mentioned, which enabled the college to grant building leases of its property. In 1815 the dividends on each share of the surplus amounted to £9. 13s. 4d.† At the time of our examination in 1833, the annual income amounted to £7881. 10s. 7d.

The dividend on each share in respect of the surplus fund had risen to £14. 15s. and out of it each of the 12 poor brethren and sisters, besides clothing, excellent lodging and maintenance in and from the college, received £134. 11s. 10½d. per annum.

This so far exceeds any allowance which can be required by the poor brothers and sisters described in the statute, or to have been intended by the founder, that it seems proper to submit it to the consideration of His Majesty's Attorney-General whether the opinion of a Court of Equity should not be taken on the propriety of extending the charity to such a degree and in such a manner as might be deemed most expedient. Should that course be adopted, an opportunity may then be also afforded of rendering the school more efficient either for qualifying the poor scholars for becoming respectable tradesmen, or for preparing some of them for the university, or for answering as far as is practicable both of these purposes.

As already mentioned, there is only one entry in the Private Sittings book relating to this inquiry, which is as follows:—

13 february 1834. The Commissioners of Charities who had visited the College, and were preparing their Report, having intimated that it would become requisite for some part of the concerns of the College to be brought before the Court of Chancery, It was deemed prudent to retain some eminent Counsel usually attending the Courts of the Vice Chancellor & the Master of the Rolls, and Agreed That a General retainer

* The dividend on the 4th March 1727–8 was £300, or ten shillings a share. These figures cannot be traced in the audit books.

† March 4, 1815. Dividend £5800, or £9. 13s. 4d. per share.

for the College be forthwith given to Sir Edward Sugden, M^r Knight, M^r Bickersteth and M^r Pemberton.

The inquiry thus foreshadowed did not actually take place until 1841, before which time the three first-named counsel had been promoted to judicial office, and the case was actually heard before Mr. Bickersteth, then Lord Langdale, as Master of the Rolls, with Mr. Pemberton as leading counsel for the College.

The College had always been most tenacious of their right to the timber on the estate, which was invariably reserved to them in all leases; in this year the following correspondence on that subject took place between Mr. John Allen, the Master, and Mr. George Grote, the eminent historian:—

3. Feby 1834.

Sir, I am concerned to be under the necessity of stating to you on the part of the college of God's Gift that a considerable number of timber trees forming the whole of the inner line of trees in the fields adjoining the Penge Road* and growing on the premises you occupy under the lease granted to the late Tho^s Lett have been materially injured by the heads being cut off and their growth to timber entirely prevented, to the great damage of the property and the beauty of the estate. If you will take the trouble to refer to your lease you will find that the act is in contravention of an express covenant in the lease, and a ground of forfeiture of the same. The matter will be taken into consideration by the college at their first convenient opportunity, previously to which I conceive it my duty to trouble you with this note, and wait your reply and explanation.

George Grote, Esq.

I am Sir &c.

JOHN ALLEN.

Dulwich Wood, Feby 3, 1834.

Sir, I have to acknowledge the receipt of your note of this morning on the subject of the trees which I have lately caused to be headed on the roadside. I am aware that this ought not to be done by any tenant in strictness and propriety, against the wish of the College, and if I could have conceived that they would have understood it as an injury to their property, I should not have thought of heading any of the trees without consulting them beforehand. But I feel persuaded that when the ground is attentively looked at, the trees recently headed will be found likely to increase materially the beauty of the belt as a permanent appendage to the road without at all impairing the ultimate value of the timber.

Considering the trees in the belt merely as timber, you will observe that the front row and the back row stand so very close together that each is an impediment to the growth of the other. I feel persuaded that the trees in the front row, when relieved (*sic*) from this impediment will acquire an increase of vigour and expansion perfectly adequate to the loss of height on the part of the pollards in the back row.

But even if this were otherwise I beg to submit to you that the trees in that belt could never have been intended as a mere repository of timber. If they had been so intended they never would have been so huddled together. The College will surely be disposed to consider them partly as a screen to my house, partly as an

* Now College Road.

ornamental appendage to the road. Now I beg you to observe that they had all shot up so much and so high as no longer to serve the purpose of a screen. From being packed together so closely, they had thrown out no lateral boughs in the lower portions of the trunk but merely shot straight up into the air, so that the view from the road was almost as unobstructed as if there had been no trees at all. Before I determined on heading the back row, I had previously tried to raise some younger trees under them, but I found that most of what I planted withered and perished, on account of the drip from the branches above. I could not obtain a screen in any other way than by converting the back row into Pollards, and it is my intention in the spring to try whether I cannot succeed in thickening the belt by the addition of some young trees, now that the drip is removed. Those trees which have been recently headed look unsightly at this moment, but I am fully persuaded that in a short time, when they shall have thrown out lateral branches, they will prove a much greater ornament to the road as pollards than they ever could have been as timber trees without fair room to spread: while the front row will now have good and ample space, which they never had before.

I may be permitted to add that I feel quite as great an anxiety to preserve the beauty of that belt, as the College can feel; and with regard to the place which I occupy, in general, scarcely a month has passed, since I have been in possession, in which I have not laid out a good deal in adding to its beauty and value. Nothing can be farther from my wish than to encroach upon the rights of the College in any way: but I hope they will see that no advantage can possibly result to them from insisting on the preservation of trees which check each others growth, and which frustrate the special purpose for which they were planted.

The lop and top, arising from the trees just headed, is still lying where it was cut, and the bailiff of the College can either take it away or receive the value, whichever may be most convenient. Its value, including all conceivable injury to the timber, will be found much inferior to that of the new trees which I have myself planted in various parts of the grounds.

Trusting that this explanation will prove satisfactory to yourself and to the College
I have the honour to remain, Sir, your obt. hum^{ble} Serv^t

GEO. GROTE.

To the Master of Dulwich College.

[No date.]

Sir,

Your letter of the 3rd of February having been taken into consideration by the College, it becomes my duty to inform you that the explanation you have given of the act committed by your order is not considered by them satisfactory.

They cannot admit that Pollards, to whatever size they may attain, can be of the same value with trees which have not undergone that mutilation.

If the trees were so close to one another as not to admit of their full expansion, the College conceive that the sacrifice of every alternate tree would have remedied more effectually the supposed inconvenience than the entire destruction of one row, leaving the trees in the other row untouched.

If a screen had been wanted for your house it might have been better supplied by planting evergreen shrubs under the trees or along the inner side of the belt.

In every lease granted by the College there is a reservation of the trees growing on the property, and a covenant inserted prohibiting their tenants from cutting, lopping,

or otherwise disfiguring any of the trees on the premises demised to them, without leave asked and obtained from the College. Where such applications from tenants have been reasonable, they have never been denied. But where they have proceeded from indifference or insensibility to their effects on the surrounding scenery, they have more than once been refused; and in your case had the application been made it would probably have been only partially complied with. In order to secure the College estate from being deteriorated and disfigured at the caprice of every tenant, it is necessary to enforce these regulations; and were a gentleman of your rank and fortune permitted to disregard with impunity the covenants of his lease, with what grace could we proceed with greater severity against the poorer and more helpless of our tenants?

After a full consideration of the case we have thought it right that you should pay a penalty of £20 to the College for the injury done to our trees, and as an example to our other tenants not to violate the covenants of their lease.

For myself I have only to add the expression of my sincere regret that the first intercourse I have had with a gentleman whose literary attainments and public character I respect, should have turned on so disagreeable a subject.

I have the honour to be

&c. &c.

JOHN ALLEN.

George Grote, Esq., Dulwich Wood.

On the 3rd April 1834 the following entry occurs:—

M^r Grote having paid Twenty Pounds for the damage he has done to the College trees and as a penalty for having pollarded the trees without licence, Ordered that ten pounds, being the estimated value of the trees be paid to the Repairing Fund, and the remaining Ten pounds be paid to M^r Vane for the use of the Infant School recently established and supported by voluntary subscription.

Another case of breach of covenant is noted on the 30th January 1840, the delinquent being Mr. Lancelot Baugh Allen, who had been Warden of the College from 1805 to 1811, and Master from 1811 to 1820. The minute runs:—

L. B. Allen Esq having erected a building on the premises leased to him by the College, without their consent, and having subsequently, without licence, pulled down a building, consisting of a stable, coach house and other offices, which he had covenanted to uphold and leave entire, and applied the materials to his own use; all which acts are in contravention to the conditions of his lease. The college, considering on the one hand that if the example he has given be left altogether unnoticed, it may be followed as a precedent by their other tenants, to their great detriment as Landlords, and unwilling on the other hand to proceed with severity against him, are of opinion that he ought to pay the sum of Ten Pounds to the College, to be applied by them to any charitable purpose they think fit, and desire this resolution may be communicated to him by M^r Druce their Steward and solicitor.

On the 13th March 1840 it is noted that the £10 had been paid by Mr. Allen, and ordered that the same be given to the Provident Club of the hamlet, as the charity most in want of it.

The Warden, Mr. Jeffrys Thomas Allen, signed the Private Sittings book for the last time on the 14th March 1835, and on the 11th September 1835 the following minute is recorded :—

Having taken into consideration the state of the Warden's health which holds out no prospect of his speedy amendment so as to enable him to perform his duties as warden, I hereby appoint the Rev^d. John Image senior Fellow of the College, to act as subwarden during the Warden's indisposition or till some permanent arrangement can be made for the discharge of the duties of his office.

JOHN ALLEN.

Mr. Jeffrys T. Allen did not again attend any College meeting, but the sum of £319. 7s.—“Balance of the Warden's account for dividend and “salary”—was paid for his account to Robarts & Co., to be credited at Stuckey's Bank at Bridgewater in 1839, 1840, and 1841.

On the occasion of this appointment of a Sub-Warden, several new arrangements as to the cash in the Warden's hands were made, as will appear by the following minutes :—

Feb^r. 27. 1836. Ordered, that any Dividend which may be found due to the Poor Brethren and Sisters on the 4th of March next be paid by the warden into the Banking House of Coutts & Co. in the joint names of John Allen, the Rev^d. John Image, subwarden, and John Vane, with power to any two of them to draw therefrom, and that the same be delivered to the Poor Brethren and Sisters in twelve equal payments one every month.

10th March 1836. Ordered that out of the Balance of £5509. 2. 6. remaining in the hands of the Warden as settled at the last Audit held on the 4th of March last the sum of £1300 Stock in the Consolidated 3 per cent annuities be purchased in the names of the Master, First and Second Fellows of the College.

19th March 1836. Whereas the sum of £1194. 7. 6. being part of the Balance stated to be in the Warden's Hands at the Audit on the 4th inst, has been invested in the purchase of £1300 Stock in the Consolidated £3 per cent Bank annuities in the names of John Allen, John Image, and John Vane, It is hereby declared, that the Warden is not personally responsible for the above sum of £1194. 7. 6, any more than he is for the sums of £953. 5. 6. and £1540, as stated and particularized in the order made at the Private Sittings on the 20th February 1821.

Ordered that from the Dividends upon £1700 Consols & £2000 £3. 10. pr cents received by the Master for July 1835 and January 1836, amounting to £121, and of which £5 has been as usual paid to the Senior Fellow for the use of the Library, That the further sum of £30 be paid to the Senior Fellow for the use of the Library, and the remaining £86 be paid into the Repairing Fund towards liquidating the same.

Ordered that the Annual Dividends arising from the Public Funds purchased with parts of the Balances in the hands of the Warden at the several half yearly audits of the College viz' on £1700 Consolidated £3 per cents, and £2000 in £3. 10. pr cents of the year 1818, mentioned in the order of 20th February 1821, and the Dividends on £1300 Consolidated £3 per cents mentioned as being purchased in another Order made this day, producing together the sum of £160 annually be appropriated to the

use of the College in manner following viz^t. That fifty Pounds be paid to the Senior Fellow for the use of the Library and accounted for by him as usual on the first Saturday after the 4th of March in every year, and that the remaining sum of £110 p. ann. be yearly paid into the Repairing Fund until the whole of the Debt due from that Fund be discharged.

The Master, Warden, and Fellows thus relinquished the dividends on the invested monies of the College, which they had taken for their personal use since 1806, and they continued to pay these dividends to the Repairing Fund, after the whole debt of that Fund had been discharged.

It is noticeable, however, that the Charity Commissioners do not appear to have been apprized of these investments, as they treat the money as actually in the Warden's hands, and nothing is said as to the very considerable increase in the value of the securities since the time of their purchase.

All subsequent investments of College monies were made in Exchequer Bills; and on the 8th June 1837, it is especially ordered that the interest and profits from an Exchequer Bill for £1000, purchased by the Master, with part of the Warden's balance left in his hands, be applied to the Repairing Fund of the College.

On the 15th April 1837, it was "ordered that Twenty Guineas a year be paid to Mr Thomas Bartlett for instructing the poor Scholars in "writing;" on the same day the wages of the cook and housekeeper were settled at £40 per annum.

As had been intimated by the Charity Commissioners in 1834, the Attorney-General, Sir John Campbell (afterwards Lord Campbell), filed an Information against the College in 1836, joining the Archbishop of Canterbury and the churchwardens of St. Botolph's, St. Saviour's, and St. Luke's as defendants. The case was heard before Lord Langdale, Master of the Rolls, on the 21st and 22nd of December 1840, and the 15th, 16th, and 29th of January 1841: Mr. Kindersley and Mr. Blunt being for the Information; Mr. Pemberton, Mr. C. P. Cooper, and Mr. Teed for the College; Mr. Cockerell for the Archbishop of Canterbury; Mr. Girdlestone, Mr. Turner, Mr. Jemmett, and Mr. K. Parker for other parties.

The Master of the Rolls delivered judgment on the 29th of July 1841 in the following words, which fully set forth the circumstances of the case and the allegations of the Information:—

JUDGMENT.

This Information prays, that it may be declared who are entitled to participate in the funds and revenues of the College; that the Charity ought to be extended to a greater number of objects; that directions may be given for carrying into effect the

charitable purposes of the Founder, and for securing to the scholars of the School the benefits intended for them; and that the number of the Scholars may be increased; and that it may be referred to the Master to inquire what alterations should be made in the regulations now in force as to the residence of the Members or otherwise, as to the government of the College; that directions may be given for the appropriation of the Revenues according to a scheme to be settled, and that in settling the scheme, regard may be had not only to the Statutes and Ordinances, but also to the Will of the Founder.

The Case is, that by letters patent, dated 21st June, 1619, license was granted to Edward Alleyn, for the maintenance of poor men, women, and children, and the education of the same poor children, to found a College in Dulwich, to endure for ever, and to consist of one Master, one Warden, four Fellows, six poor Brethren, six poor Sisters, and twelve poor Scholars, to be maintained, educated, and governed, according to such ordinances and statutes as he should make in his lifetime, or as the persons nominated by him should make after his death; and he was empowered to make ordinances, constitutions and statutes for the maintenance, education and government of the Master, Warden, Fellows, poor Brethren, Sisters and Scholars. The College was to be called the College of God's Gift, and the Master and so on were to be a body Corporate, and to have power to take to them and their successors the lands therein mentioned; and the Archbishop of Canterbury was to be for ever Visitor of the College, and to have power over the same and the persons therein, to visit, order and punish according to the ecclesiastical law of England, and such constitutions and ordinances as Edward Alleyn should make.

Pursuant to this license, and on the 13th September, 1619, the said Edward Alleyn established a College, and nominated the master, warden, four fellows, six poor brethren, six poor sisters, and twelve poor scholars, to have perpetual succession according to such statutes as should be made; and afterwards, by a deed dated 24th April, 1620, he conveyed the lands in the letters patent mentioned, to the sole and only use of the master, warden, four fellows, six poor brethren, six poor sisters, and twelve poor scholars, and their successors for ever, and to no other intent and purpose whatsoever. On the 29th of September, 1626, being six years after the endowment, the founder established certain statutes and ordinances for the maintenance, education and government of the College, and thereby stated the qualifications and duties which were to be required from and performed by the master, warden, fellows, poor brethren, poor sisters, and poor scholars, and how the revenues were to be distributed. In framing these statutes, he seems to have considered that in some respects he was at liberty to vary the corporation and foundation which he had established, and he appointed that there should be six Chaunters, for music and singing in the Chapel, who should be called and esteemed junior fellows, every one of them to have his voice as the four senior fellows had; six assistants touching the order of the College, and the rents, revenues and profits thereof, and thirty members, and desiring that a proportion of the poor brethren and sisters should be chosen out of each of the parishes of Saint Botolph Without Bishopsgate; Saint Saviour's, in Southwark; and the parish now called Saint Luke's. He directed two Churchwardens of each of those parishes should for ever be assistants to the master, warden, and fellows, for the government thereof, and further, that the Churchwardens and Vestry of those parishes, should respectively make choice of ten poor persons, that is, five poor men and five poor women of each parish, to be members of the College, and to be admitted by them into the almshouses in London, and from thence to be admitted into the College as places

should fall void. He directed the mode of choosing the poor brethren and sisters out of those places by lot, and for making payments to the poor men or women drawing blank lots, and he ordered to be paid to each of the chaunters a certain annual sum, and a share of the surplus annual revenues, and to each of the thirty members so to be appointed a weekly payment of sixpence, a gown once in two years, and a proportion of the surplus annual revenue.

Edward Alleyn afterwards by his will dated 13th November, 1626, gave certain specific bequests to the College, and directed his executors within two years after his death, to build ten almshouses in the parish of Saint Botolph Without Bishopsgate, for ten poor people of that parish to be members of the College, and likewise ten other houses in Saint Saviour's parish, for other ten poor people to be likewise members of the College, and having made a further memorandum dated 16th November, 1626, whereby he confirmed two leases to the College, he died on the 26th December, in the same year.

The Founder having by his statutes and ordinances, and by his will given directions, which, if followed, would have altered the constitution, and the foundation of the College, and the estates with which he had endowed the College, being as it would appear insufficient for all the purposes he contemplated, and moreover, his assets being insufficient to provide ground to build the almshouses which he had directed to be built; a bill in this Court was filed by the Rector, Churchwardens and Overseers, and certain parishioners of the parish of St. Botolph, against the College, and the surviving executor of the funds, praying for discovery and relief.

In their answer to this Bill, the Corporation alleged that the lands amortized to the Corporation were not sufficient to bear the charge of the first foundation, and the charges thereto incident which the Founder had omitted to provide for, so that the latter addition of six Chaunters, and thirty almspeople of the three several parishes, could not be maintained by the revenue, for which cause, and also for that the new addition to the Corporation was not warrantable by law, they thought they were not compellable by law or equity to part with any part of the College revenues for the finding of six Chaunters, or the relief or maintenance of the thirty almsfolk, and the surviving executor stated the assets he had received, the payments he had made, and that he was content to charge himself with the remainder in his hands which was £120, towards building the almshouses for the parish of St. Botolph; he thought the same sufficient, and had offered therewith, to build those almshouses if the parish would provide the land; but the parish rather desired to have the money for the benefit of the poor in some other charitable employment than to have the almshouses built, unless the allowance for the maintenance of the poor according to the ordinances could be had, and that could not be, for the reasons aforesaid, and he stated himself to be ready to prove £120. was the utmost that the personal estate would produce for the building of the almshouses required by the bill.

In this suit it was ordered by consent, that the Defendant, the executor, should pay to the Plaintiffs, the sum of £120. on security to be given by the parish, that the same should be duly employed, and it was further ordered, that if any new addition of estate should come to the College or there should thereafter be an overplus of value in the College revenues, that then the Defendants should be liable to apply such increase to the additional charity of the Founder, as the Court should think fit to direct; and on payment of £120. to the parish, the executor was to be discharged of the bequest.

At a subsequent period, some disagreement having arisen among the Members of the College, the Visitor, SHELDON, Archbishop of Canterbury, by his orders dated the

16th July, 1664, ordered that the College should consist of one Master, one Warden, four Fellows, six poor Brethren, six poor Sisters, twelve poor Scholars, and certain Servants, all which persons were to be in-members dwelling within the College, and certain servants who were not to be entertained as in-members, but to be servants at large, and moreover, that there should be, as the statutes ordained, six Assistants, and thirty poor people Pensioners of the College, who were to be out-members; and the orders contained several regulations respecting the Master, Warden, and Fellows, the Chapel, the School, the Estates, and the disposition of the revenues. The ordinances were enforced by injunction of the same Archbishop, dated 9th October, 1667. At a subsequent period, and in the month of December, 1724, WAKE, then Archbishop of Canterbury, made various orders respecting the School and other matters, and the 17th order, after reciting it to be very clear that the Founder never had any power or authority in law, to appoint any such assistants as was mentioned in the statutes, at all, or to enlarge the number of Fellows beyond four, so that what was done by him in that respect was contrary both to the Charter of incorporation, and the Deed of uses, nevertheless, out of regard to what was done by him, and for other reasons in the order mentioned, the Visitor, as far as it was competent to him, allowed that three Churchwardens might continue to act as assistants, and have the usual allowance in proportion out of the revenues belonging to the foundation.

It appears, that the Churchwardens were not satisfied with this injunction, and instead of complying with it, threatened legal proceeding to compel the College to admit them to act as they had before done, and this being communicated to the Visitor, he made an order, dated 17th February, 1726, to the effect, that not being willing to engage them in the trouble or charge of law, he left the College at liberty notwithstanding the injunction, if they should think it more for the benefit of the society, to admit the whole number of assistants to discharge the trust committed to them by the statutes, and to receive the usual allowances for the same, though the Visitor was still of opinion that the Founder did not intend that their number should be so great as to equal, and in some cases to overbalance, the whole foundation, and that he had no power to appoint any allowances to be made to them, any more than to the Junior Fellows out of the revenues before settled to the College, and that, therefore, what was done in pursuance of any such appointment, was done in manifest diminution of the just rights and interests of the same. Sometime after the date of this order, the Attorney General, at the relation of Samuel Higgs and others, filed an information against the College and the Archbishop of Canterbury, stating that the Churchwardens of the three parishes had been prevented from acting as assistants to the members of the College, and praying, that they might be restored to the Office of Assistants of the College, and the exercise and enjoyment of the powers given by the statutes; and on 4th April, 1728, Lord Chancellor KING by his decree, declared that the Founder could not by his ordinances and statutes of 29th September, 1626, add any person to the Corporation, or make any new person a member of the body Corporate, but that he could appoint Assistants to the Corporation; and he therefore ordered, that the Churchwardens and their successors should be admitted to be Assistants to the Corporation according to the ordinances, and be quieted in the possession thereof. But the order was to be without prejudice to the Archbishop's right of Visitation, or to any application to be made to him to correct, alter, or amend any of the ordinances, or to any correction, alteration, or amendment that the Archbishop might lawfully make or ordain. After this Decree, and by an order made by the Archbishop, on 22nd January, 1729, it appears, that at that time both the College

and the Churchwardens were desirous that the alleged obligation of the College to pay the pensions to the Churchwardens for the use of the poor of their respective parishes should be legally determined, and in order that the College might be at liberty to try the question, as if the order of Archbishop SHELDON had not been then made, the then Archbishop (WAKE) suspended the said order, but the question was not tried, and the order has not since been acted on. The non-payment of any pensions to the out-members as they were called, appears to have been acquiesced in up to the time when the Commissioners concerning Charities made their report, and in this report, they suggest that the present members of the College are receiving a larger share of its surplus annual income, than was given by the statutes, or intended by the Founder, and submit to the Attorney General whether the opinion of a Court of Equity should not be taken on the propriety of extending the Charity to such a degree, and in such a manner as might be deemed most expedient.

The Information was filed by the Attorney General *ex-officio*, in the month of June, 1836. It alleges, that the thirty members referred to in the ordinances, are essential to the existence of the Corporation, and that their rights are not bound by the decree of Lord King pronounced in the year 1728. Secondly, That the revenues of the College have so greatly increased, and the share of each member so greatly exceeds the benefits contemplated by the Founder, as to be inconsistent with the real objects of the Founder's bounty, and that some alterations ought to be made either in the maintenance to be afforded to the poor brethren and sisters or in the rules now in force for their election. Thirdly, That not only are the shares of the members greater than was intended by the Founder, but by reason of the shares provided by the Founder for the six Chaunters, and the thirty members being withheld from them, and divided among the other members of the College, such other members not only receive more than they were intended to receive, but something which they were expressly intended not to receive. And it is further charged, that the interest of the twelve poor Scholars has been greatly neglected, and that large balances of the College funds have occasionally been kept in hand by the Wardens, and that under such circumstances, it has become necessary and expedient that proper directions for the regulation of the College should be given by this Court.

The Defendants, the Master, Warden, Fellows, Brethren, Sisters, and Scholars of the College, by their answer submit, that those parts of the statutes whereby Edward Alleyn professes to appoint six Chaunters or junior Fellows, and thirty additional members, and gave to such Chaunters and such thirty additional members, any portion of the revenues of the College estates are void; that the revenues of the estates are duly appropriated for the benefit of the members of the College; that if any regulations are required, they ought to be made by the Visitor, and that the interference of this Court is not necessary.

The principal points contended for on behalf of the Attorney General are: First, That by the Foundation a trust was created for charitable purposes beyond the maintenance of the College, and the object stated in the Charter. And secondly, That the interference and authority of this Court, are required for the establishment of such internal regulations of the College as may best contribute to promote the Founder's objects. As to the trust, it is argued, that the object of the Founder was not only to establish and maintain the College, but also to promote and carry into effect other charitable purposes by means of the College; that a portion of the revenues was not intended to be applied for the benefit of the members of the first foundation, but for the benefit of other objects of the testator's bounty, and that such portion of the

revenues ought, in execution of the trust, to be applied by the Corporation for the benefit of those other objects.

It is admitted in argument, that the Founder could not alter the foundation, or engraft new members upon it; but it is insisted upon, that there was a trust to maintain the thirty persons who were intended to become members, or such poor men and women who were not or could not be made members of the Corporation, and that this Court ought to execute that trust, and approve of a scheme for that purpose.

If there be any such trust it ought to be executed here; but the Letters Patent authorized Edward Alleyn, for the maintenance of poor men and women and children, to found a College to consist of certain specified and enumerated persons only, and it is manifest that they were the poor men and women and the poor children to be educated. The generality of the first expression is limited by the description and enumeration which immediately follows.

Pursuant to the licence, the College consisting of the persons so described and enumerated was established. The Corporate body thus established became entitled to acquire property pursuant to the licence, and the Founder conveyed the lands mentioned in the licence to the sole and only use of the Master, Warden, four Fellows, six poor Brethren, six poor Sisters, and twelve poor Scholars and their successors, and to and for no other intent and purpose whatsoever; and I am of opinion, that the College being thus established and endowed pursuant to the licence, the Founder was not entitled, by statutes purporting to be made under a licence or by his will, to make any alteration in the constitution of the College, or to divert the revenues of the estates with which he had endowed the College, to any other purposes whatsoever.

The lands were conveyed to the use of the College, and it was not competent to the Founder afterwards to subject the same lands to any trust for other persons or purposes. The object of the foundation was to maintain, educate, and govern the specified and enumerated members of the College, according to such ordinances as should be made. The endowment was for the sole use of the same members, and the ordinances purporting to direct the application of any part of the revenues to other purposes were invalid. After the endowment, the Founder was no longer owner of the property, no longer at liberty to change his intention. Having devoted the property to one purpose, the wish which he seems to have entertained when he made the statutes and his will, could not be accomplished by means of the same property, and the Attorney General or the Churchwardens of the parishes cannot successfully allege, that the College, or the members of the College, have something which they were not intended to have, because they were entitled under the endowment to something which the Founder afterwards, and when it was too late, desired but had not the power to take from them. I am of opinion that no trust was created, either for the persons whom the Founder desired to make members, or for the purpose of general charity. What was given by the endowment was given for the use of the College, and for no other purpose; and except for the support of the members of the College according to the regulations, and for the education of the scholars who were also members of the College, no specific duties were imposed on the members of the Corporation. If additional property had been given to the College by the testator's will, or in any other manner, the question whether such additional property was accepted, or made subject to any particular trust would have arisen, but it does not appear that the College received any thing otherwise than through the Deed of Endowment.

The other question in this cause is, whether there is any such abuse in the internal regulations of the College, or in the distribution or application of its revenues, as to

make it necessary or proper for this Court to interfere; and I am of opinion that there is not. There is a special Visitor appointed by the Founder, and looking at the several charges contained in the Information it does not appear to me there is any thing complained of which may not, even if the complaint be well founded, be regulated by the Visitor, who does not refuse to act for himself, although he is willing to concur in all necessary proceedings for introducing such regulations as this Court might direct.

At the hearing of the Information a question was raised, whether, having regard to the nature of the case, the alleged ground of complaint, and the relief asked, the Attorney General had authority to sue in the form here adopted. It is unnecessary for me to give any opinion on that question, because as it appears to me that there is no trust to execute in this Court, and no occasion to resort to this Court for internal regulation of the charity, this Information, independent of the question of authority, must be dismissed.

On the 1st August 1841 the Society at their Private Sittings resolved as follows:—

The information filed against the College in the name of the Attorney General by order of the Commissioners of Charities and to which his Grace the Archbishop of Canterbury as Visitor was made party, having been dismissed by the Master of the Rolls, the College are desirous that his Grace should not be subjected to expence in a matter solely relating to the College, and Order that the Visitor's expences be paid out of the College Funds, and that M^r Druce do apply to his Grace's Solicitors for their Bill of Costs in the suit in order that the same may be discharged.

And on the 10th September they showed their appreciation of the services of Mr. Druce as follows:—

Ordered that a piece of plate be presented on the part of the College to Charles Druce Esq^r. in testimony of their gratitude and regard for his long and invaluable services as their steward and solicitor, and that the master be authorized to apply to M^r. Garrard, Silversmith for a suitable design, and to conclude with him on the part of the College.

Although Lord Langdale had given judgment so entirely in favour of the College, he was not altogether satisfied with the system of education which it pursued with regard to the poor scholars, and he privately imparted his views to the Master. As a result, the College resolved to establish a Grammar School, and on the 24th September 1841 the following resolution was passed at Private Sittings:—

Ordered that M^r Barry's design for the school proposed to be erected at the corner of the Boys' play ground, be adopted. And that M^r Stokes' tender (made through M^r Barry) of building the aforesaid school according to M^r Barry's design be accepted. The said tender being to build the proposed school according to M^r Barry's design, including fittings, and everything that is necessary to render the building complete and fit for occupation for the sum of £900, the expence of the Fence being alone excepted.

Mr. Jeffrys Thomas Allen, the Warden, died on the 27th December 1841, having been incapacitated for more than six years, during which time the duties of the office had been performed by Sub-Wardens. On the 17th January 1842 Mr. George John Allen was elected Warden in his stead.

A complete list and description of the candidates on this occasion has been preserved, and is as follows :—

1. Edmund Allen, Indigo Broker, Herne Hill.
2. George John Allen, Barrister at Law and oldest son of the Bishop of Ely.
3. Thomas Allen, Barrister at Law, Baliol Coll. Oxon, and son of James Allen, Esq.
4. Henry George Allen, Barrister at Law, Christchurch, Oxon, and son of John Allen, Esq.
5. Godfrey Allen, no profession or trade, and son of the Rev^d Stephen Allen, Rector of Woollerton, Norfolk.
6. William Ferneley Allen, son of M^r Allen, Leadenhall S^t, Bookseller to East India Comp^y, in his Father's business.
7. Benjamin Tuthill Allen, Solicitor from Burnham, Somerset.
8. Joseph Lowe Alleyne, Undergraduate of Magdalen Coll. Cambridge, in his second year.
9. Charles Allen, Undergraduate of Brazenose Coll. Oxford, in his second year.
10. Hans Wallace Allen, Civil Engineer, Cheltenham, and son of Col. Allen in the Artillery.
11. Joseph Entisill Allen, Student under the Church Missionary Society.
12. Rev^d Stephen Allen, Sevenoaks, Kent, brother to candidate No. 5.
13. Capt^m Peter Allen, Bengal Service.

Mr. Joseph Alleyn, a coachmaker near the One Swan Yard, Bishops-gate, also claimed the Wardenship by right of Founder's kin and name, but did not appear.

On this occasion all the voters, except the churchwardens of St. Saviour's, who supported George John Allen and Edmund Allen, voted for George John Allen and Joseph Lowe Alleyne, and these latter drawing lots, George John Allen was elected.

The minute of his accession to office in the election book is as follows :—

6 february 1842.

Whereas George John Allen Esq^r was on the seventeenth day of January last duly elected Warden in the place of Jeffrys Thomas Allen late Warden who departed this life on the 27th day of December last, And he the said George John Allen hath executed his Bond to the College in the sum of £8000 for the due Execution of his office, And hath also delivered to the College the Bonds of Four Sureties, each in the sum of £2000 viz^t

The Lord Bishop of Ely (his Father),
The Lord Bishop of Lichfield,
The Rev^d John Ashley, Canon of Ely and Rector of Wenham, Suffolk, and
The Rev^d Thomas Ashley, Rector of Great Shefford, Berks,

which several Securities were approved by the Master and Fellows of the College.

Now the said George John Allen this day attended and took the Oath as Warden expressed in the statutes which was ministered to him in the Body of the Chapel by the Rev^d Charles Howes, the Senior Fellow in the presence of the Corporation, after having attended Morning Prayers and received the holy Sacrament of the Lord's Supper, And was admitted by the Master and Fellows present and conducted to his Seat in the Chapel and his Lodgings in the College, and he took upon himself the office of Warden.

Consequent upon the new Wardenship, the following was entered in the Private Sittings book on the 4th March 1842 :—

Whereas in the College account settled at the audit on the 4th inst, The warden stands charged with a Balance of Cash as being in his hands belonging to the College amounting to £5612. 15s. 0d. Now it is hereby acknowledged by the Master, Warden and Fellows of the College, That £953. 5s. 6d. part of that sum (along with £100 out of the Treasury Chest) has been invested in the Purchase of £1700 Consolidated £3 pr cent Bank annuities, That £1540 other part of that sum has been invested in the purchase of £2000 £3. 10s. pr cent Bank annuities of the year 1818, and that £1194. 7s. 6d. other part of that sum has been invested in the purchase of £1300 Stock in the Consolidated £3 pr cent Bank annuities, which three several sums of stock are hereby directed to be transferred into the names of John Allen, Master, George John Allen Warden, The Rev^d Charles Howes and the Rev^d John Vane, the two senior Fellows of the College. Also that the sum of £892. 10s. further part of the said Balance of Cash has been recently invested in the last mentioned names in the purchase of £1000 stock in the Consolidated £3 pr cent Bank annuities: Which Four several sums of Cash so invested viz' £953. 5s. 6d.; £1540; £1194. 7s. 6d.; and £892. 10s.; make together £4580. 3s. 0d.: and constitute part of the Balance with which the Warden stands charged as cash as before stated. Now it is hereby declared, that the Warden is not personally responsible for the above Four several sums of Cash, amounting to £4580. 3s. 0d. as aforesaid, although included in the Sum which he stands charged with, as being in his hands, nominally, and for the purpose of keeping the accounts of the College in the accustomed way. The total stock now consists of £4000 Consolidated £3 per cent annuities, and £2000 £3. 10s. pr cent of the year 1818.

On the 11th March 1842 it was resolved,

That the donation to the Poor Scholars at the termination of their apprenticeships, who have conducted themselves to the satisfaction of the College during that period be raised from Thirty five to Forty Pounds, making with the sum allotted to them for their apprenticeship, One hundred and sixty Pounds to each of them after they have quitted the College being one fourth of the present yearly income of the Master, which appears to have been the portion usually given to the poor scholars, who were bound apprentices, before the institution of a Dividend.

In this year certain inhabitants of Herne Hill and its neighbourhood desired to erect a church, and Mrs. Simpson offered as a site a portion of a field which she held on lease from the College, fifty-five years of the term being unexpired. Finding, however, that they could obtain no assistance from the Church Commissioners unless the church was built upon free-

hold ground, they asked the College to make a gift of the reversionary interest in the land required, alleging that power was given so to do under the Church Building Act.

The College, on the 11th March 1842, cheerfully assented, "Provided the external plan and elevation of the Building to be erected are submitted to them, and meet with their approbation, and Provided the future nomination of minister for the said church be placed in hands that appear to them satisfactory."

To this the committee for building the church formally replied, stating that they were desirous of building a church under the provisions of the 59th George III. s. 34, and requesting that the land might at once be conveyed to Her Majesty's Commissioners for building churches.

The College, however, wrote that, when considering the request of the committee for the grant of the land, it did not contemplate the possibility of the repairs of the church falling on lands belonging to the estate, which it was apprehended would be the case if the church were built under the Act mentioned, and suggested that the committee should reconsider their plan, and, in order to obviate the difficulty, put the church in the hands of trustees.

Further negotiations ensued, and in the result the district to be assigned to the new church was settled and agreed upon, when the following letter was addressed by the Bishop of Winchester to the Building Committee :—

St James Square, March 14. 1843.

Dear Sirs, I request you will acquaint Mr Druce for the information of the Master, Warden and Fellows of Dulwich College that the Church Commissioners approve of the District as proposed for the intended Church at Herne Hill, and that on the consecration of the Church they will assign such district, as defined by the Plans submitted to the College by the Committee, and the boundaries of which have been described in words, and approved by the several parties interested. I have been authorized by the Church Commissioners to make this communication on their part to the College.

I am, dear Sirs, your very faithful Servant

C. WINTON.

Upon this it was resolved, on the 16th March 1843, that the piece of ground adjoining Herne Hill be now given and granted to Her Majesty's Commissioners for building additional churches, whenever they shall apply for the same.

On the 6th May 1842 the churchwardens of St. Luke's memorialized the College, asking them to repair the almshouses founded by Edward Alleyn in that parish, and it was resolved "that an answer be made on the part of the College declining to uphold or contribute to the repair of the Alms Houses."

A similar request from the churchwardens of St. Saviour's was made on the 4th March 1843, a representation being forwarded to the College showing that certain of the inhabitants, "finding that the Alms Houses of the late Edward Alleyn Esq^r. in the Soap yard of this Parish wherein the Poor Men and Women reside who are elected for candidates for admission into Dulwich College as vacancies occur, are in a very dilapidated state 'and scarcely weather proof:' and commiserating the condition of such poor men and women," were willing to subscribe certain sums for the purpose of taking down, raising the foundation of, and rebuilding the said houses; and it was agreed that the College do subscribe the sum of £100 as a gift towards the charitable purposes therein mentioned.

The College Grammar School, the building of which has been already mentioned, was opened on the 1st September 1842; and Mr. Edward Baber, of University College, Durham, was appointed Master at a salary of £150 per annum, and £50 additional to be granted for an assistant when necessary, Mr. Baber having the use of the apartments in the old school-house, which were put in repair for his convenience. The fees from the scholars were also appropriated to him.

Mr. John Allen,* the Master, attended the Private Sitzings for the last time on the 19th March 1843. He died on the 10th April succeeding, having been a member of the College nearly thirty-three years,—nine as Warden, and the remainder as Master.

The following was inserted in the election book under date 11th April 1843 :—

Whereas John Allen Esq the late Master of this College departed this life on the 10th instant, Whereupon George John Allen Esq^r the late Warden took upon himself to be Master without delay, and did this day take the Oath as Master expressed in the Statutes which was ministered unto him by the Rev^d Charles Howes the Senior Fellow, in the Chapel of the College in the presence of the Corporation after Morning Prayer, and was admitted by the Fellows present to the place of Master of the said College.

* A notice of his life and works is given in Volume II.

CHAPTER XIV.

HISTORY OF THE COLLEGE, 1843-1852.

THE Wardenship being vacant by the accession of George John Allen to the office of Master, an election was held on the 1st May 1843, when John Gay Newton Alleyne drew God's Gift, and became Warden.*

He was formally admitted on the 4th June 1843, as appears by the following entry in the election book :—

Whereas John Gay Newton Alleyne Esq^{re}. was on the first day of May last duly elected Warden of this College in the place of George John Allen Esq late Warden who on the 11th day of April last was admitted to the place of Master, whereby the office of Warden had become Vacant, And the said John Gay Newton Alleyne hath executed a Bond to the said College in the sum of £8000 for the due execution of his Office: And hath also delivered to the College the Bonds of four Sureties duly executed each in the sum of £2000 viz^t

Sir Henry Fitzherbert, Bart of Tissington Hall, Derbyshire,

David Hall of Park Crescent, Portland Place, Esq.

Renn Hampden of Marlow, Bucks, Esq. and

Hampden Clement of Snareston Lodge, Leicestershire, Esq.

which several Securities were approved by the Master and Fellows of the College.

Now the said John Gay Newton Alleyne this day attended and took the Oath as Warden expressed in the statutes which was ministered unto him in the Body of the Chapel by the Reverend Charles Howes the Senior Fellow in the presence of the Corporation after having attended Morning Prayers and received the holy Sacrament of the Lord's Supper, And was admitted by the Master and Fellows present, and conducted to his Seat in the Chapel and his Lodgings in the College. And he took upon himself the office of Warden.

On the 10th April 1843, Henry Carvell was engaged on the recommendation of Dr. Kay Shuttleworth as assistant in the Dulwich College Grammar School, with a salary of £50 per annum, to be paid by the Warden quarterly.

Mr. John Allen, the late Master, bequeathed some of his books to the College, and on receipt of them the following resolution was passed on the 12th May 1843 :—

Having received from his executors the Books left by the late Master John Allen

* A description of this election will be found in Chapter XVI.

Esq^r., resolved, that the Master in the name of the College acknowledge the same, and express the high value they set upon this gratifying memorial of his regard, and also that a separate case be allotted to them in the College Library, each volume being inscribed with his name,* and date of the bequest.

The friends of Mr. Allen also presented his portrait to the College, and the following minute was thereupon made on the 11th September 1843 :—

Resolved : That the Master in the name of the College be desired to forward their best thanks to Colonel Fox for the handsome donation of the Portrait of their late Master John Allen Esquire, and to signify that they have the greatest pleasure in receiving this very acceptable remembrance of one who for so long a period executed most ably and faithfully the duties of his Office and endeared himself to every member of the Society.

On the 23rd October 1843, a complaint made by Dr. Webster against Mr. Baber, the master of the Grammar School, was thus adjudicated upon :—

A formal complaint having been made by D^r Webster against M^r Baber for having grievously beaten his son James, and as the boy's back was seen by the Warden, M^r Chafy and M^r Palmer, who all agree that the punishment was excessive, and such as should not have been inflicted under any circumstances, we after investigating the matter fully, are of opinion that, whatever might have been the provocation given by the boy (which seems to have been great owing to his insubordination and subsequent insolence), M^r Baber was not justified as School Master in adopting treatment so violent ; and considering his conduct on the occasion to be highly reprehensible, we determine, that M^r Baber be reprimanded accordingly.

Mr. Baber does not appear to have acquiesced in this conclusion ; and five days later, on the 28th October, it was resolved “ that the Master inform “ M^r Baber his services in the Dulwich College Grammar School will not “ be required after the quarter ending 29th of february 1844.” Mr. Baber applied subsequently to be reinstated, but his request was refused on the 22nd December ; and on the 16th February 1844 Mr. Baker Monk was appointed master of the Grammar School with the same emolument as had been enjoyed by Mr. Baber, and Mr. William Joseph Harris was engaged on the 11th May as assistant master.

In 1841, some of the persons who had been poor scholars of the College formed themselves into a society called the “Dulwich College School “ Association.” At first this association was patronized by the College, the offices of treasurer, president, and vice-president being held by some of the Fellows. The object of the founders seems to have been chiefly to find suitable masters for the poor scholars leaving the school as apprentices, and in some degree to exercise a supervision over them afterwards ; but the

* This resolution was not fully carried out.

association speedily began to complain of the system of education pursued by the College authorities, as well as of other matters connected with the institution.

The report of the committee of this association, presented at the annual meeting held on the 7th August 1844, begins by expressing satisfaction at the fact that through the instrumentality of the association and the co-operation of the College, a boy named King had been removed from the situation he was in, and placed in a more satisfactory one.

It proceeds to state that an investigation into the position of the boys then serving their apprenticeships proved that the education they had received was very insufficient, and that they had memorialized the College thereupon, recommending "such measures as in their opinion would, if carried out, eventually tend to improve the condition of its rising members;" which memorial, however, had met with a very unfavourable reception.

They proceed to regret—1°. "That hitherto no step had been taken by the College to remove the Tombstone of the Venerable Founder of the College from its present disgraceful position viz^t in the skittle ground of the Half Moon Public House."*

2°. That the College had refused to allow the association to give rewards to the boys then at the College.

3°. That the College had refused the place of butler to one of their members; and finally they "assure the association that much good has resulted through the instrumentality of the Society in addition to what has been already detailed," and they "feel most sanguine, seeing that our ship is well manned, that though she may have to contend occasionally with storms and tempests she will by pursuing a steady course ultimately reach the desired haven."

It will be seen from this report, as well as from the following letter, that at this time the relations between the College and the association were not so cordial as they had been at the commencement of its career. On the back of one of the letters from the association is the draft of a letter from the Master, accepting on his own behalf and on that of the Fellows the invitation of the association to its annual dinner; but from the tenor of the second report in 1845 there is reason to suppose that it was either not sent, or, if sent, not acted upon.

Chapter Coffee House, July 17, 1844.

To the Master, Warden and Fellows of Dulwich College.

Gentlemen,

I am desired by the Dulwich College School Association to express their deep regret that it should be the intention of the Gentlemen of the College to absent themselves from the next Anniversary of the Association.

* This was recovered some years later.

I am further desired to state, that believing the cause of such intentions to be the communications which have passed between the Association and the Gentlemen of the College, they cannot but feel grieved that those communications should have been viewed in any other light than that which it was intended to have conveyed.

The Association beg to assure the Gentlemen of the College that their intention was in no way to give offence, but a great anxiety to promote the welfare of the rising members.

Trusting you will believe such was their sole intention, they hope you will reconsider their invitation, and that you will honor them with your company.

The favor of an early reply will oblige

I Remain Gentlemen, your obed^t Servant

JAMES PHILLIPS, Hon. Sec.

In the second report of the association, issued on the 6th August 1845, after expressing regret for the deaths of three of the members, the committee deplore the fact that so many of their junior members are in poor circumstances, and instance especially the case of one member, a tinman, whose poverty they attribute "not only to the description of his trade, but "also to his master's standing in that trade."

"They feel convinced that if one of the Gentlemen of the College who "had been instrumental in apprenticing him had called to make enquiry "prior to the boy being bound, they never would have placed him in this "situation where nothing but discomfort and misery awaited him."

They further complain that during the whole of his apprenticeship, no one from the College ever visited the boy; they acknowledge, however, that the College had lately given him some pecuniary assistance.

They then state that they had continued their efforts to improve the education given at Dulwich College, which education they consider as very deficient, regretting that they have not been allowed to consult with the authorities on the subject; and finally add that they "would not complain "of the education if the boys of Dulwich College were as proficient even as "those of the National Schools of Ireland." They then quote largely from the report of Kildare Place National School, Dublin, to show the superior attainments of the boys educated there.

In 1845 Mr. Robertson was elected master of the College Grammar School in the room of Mr. Baker Monk, but the precise date is not stated.

In 1845 also, Mr. Charles Druce, who had been steward and solicitor of the College for nearly sixty years, died, aged 83. His family presented to the College his portrait by H. P. Briggs, R.A., and Britten's *Architectural Antiquities* for the College library. He was succeeded by his son, likewise Mr. Charles Druce, who remained steward and solicitor until the dissolution of the Corporation, and was then appointed receiver by the Governors under the Act of 1857.

In 1847 the subject of the education afforded to the poor scholars again

came up, and Messrs. Luke Embleton and Robert Downs, churchwardens of St. Saviour's, Southwark, memorialized the Archbishop of Canterbury on the subject. The Archbishop, however, dying on the 11th February 1848, the matter thereby lapsed for a time. He was succeeded on the 17th February 1848 by Dr. John Bird Sumner, Bishop of Chester.

The master of the Grammar School, Mr. Robertson, retired at Easter 1848; when the Rev. B. G. Johns was elected to succeed him, "subject to the regulations which the College thinks fit to make with regard to the payments from the scholars."

The memorial of the churchwardens of St. Saviour's, presented in 1847 to Archbishop Howley, was taken into consideration by his successor about the month of July 1849, and on the 2nd of that month Mr. Druce was instructed to "employ" Mr. George Turner, Q.C., if he was able to attend, together with Mr. Dickinson, who had settled the pleadings, and another counsel not named, on behalf of the College.

On the 17th July 1850, the Master received the following letter from the Archbishop:—

Addington.

Dear Sir

I enclose herewith the opinion of Mr Justice Patteson and Sir John Dodson as to the alterations desirable in the management of the School and the portion assigned to the poor scholars:

Being in possession of this, you will be able to draw out a scheme for the school in compliance with their views and compatibly with the present state of things. I think that you will do this better than I shall, being more completely in possession of the facts, and shall be obliged by your submitting such a scheme to me that I may take it into consideration.

I remain dear Sir, faithfully y^r

J. B. CANTUAR.

The Master of Dulwich College.

The following is the accompanying Paper:—

The principal alterations which in the opinion of my assessors ought to be made in the management of Dulwich College relate to the school.

It was clearly the design of the Founder that the 12 poor scholars should receive such instruction as would fit them according to their respective capacities to be placed as apprentices, or to be sent to the Universities for the completion of a learned education.

This intention of the Founder should as nearly as practicable under the altered circumstance of the times be carried into effect, and may be best accomplished by affording the same instruction in reading and writing, in accounts and Latin Grammar to all the children until they arrive at the age of 12 years or thereabouts, when a selection might be made of those best adapted for a learned profession; who might proceed to a classical and mathematical education and be permitted to remain in the school to the age of 18, and then placed at the University with a proper annual Pension for the space of 4 years: so as to enable them to graduate and become members of a learned Profession.

The Boys not selected for the University should be apprenticed at the age of 14, having first received such instruction as would be useful to them in their employments.

A due proportion of the unappropriated surplus revenue ought not to be divided, as hitherto, among the Master, Warden, Fellows, &c. only, but reserved for the benefit of the Poor scholars and for their preferment at their departure from the College.

The Private Sitting books do not contain any reference to this letter, which is quoted from the original. Indeed, there is no record of any meeting having been held between the 12th July and the 11th October 1850. On the former day it is noted that the Archbishop had written to the Warden on the 8th July, requesting a statement "of the present state and "revenues of the College," and that the answer and report of the Warden was read, agreed to, and ordered to be forthwith forwarded to the Archbishop.

As it is hardly possible that a matter of such importance as the framing of a new scheme involving a rearrangement of the method of distributing the revenues of the College should not have been recorded, it is probable that the Society declined to formulate any scheme.

On the 10th of March 1851, the Warden, Mr. John Gay Newton Alleyne,* resigned his office, and on the 31st of March an election was held for the choice of his successor.

This was the last election of a Warden, and deserves particular notice, not only on that account, but because it led to litigation.

As it will have been seen, the College at all or very nearly all preceding elections of Warden, carried their two candidates, the assistants either voting with the Master and Fellows, or splitting their votes, or occasionally, by the abstention of one of their number, placing the Society on an equal footing with them in regard to numbers. But on this occasion the assistants voted "solid" for a candidate of their own, and being six to five, elected him to draw lots. It has been stated (Blanch's *History of Camberwell*, p. 449) that the churchwardens proposed to the Society that they should nominate one candidate and the College another, and that these two should draw lots; but there is no written record of any authority for this statement, although the result of the election shows that the assistants voted so as to carry out such a scheme.

The practice was to place the names of the two candidates favoured by the College first on the voting paper, and on this occasion the names of those so placed were John Hensleigh Allen and Thomas Walford Allen; but among the sixteen competitors was Richard William Allen, the favourite of the assistants, who unanimously voted for John Hensleigh Allen and the said Richard William Allen. The College, with equal unanimity, voted for John Hensleigh Allen and Thomas Walford Allen

* Now Sir J. G. N. Alleyne, Baronet.

the consequence being that John Hensleigh Allen had eleven votes, Thomas Walford Allen five votes, and Richard William Allen six votes. The Master, apparently not contemplating at the time any resistance to the right of the assistants to vote, submitted John Hensleigh Allen and Richard William Allen to the ordeal of the lot, and the latter drawing "God's Gift," declared Richard William Allen duly elected.

Before, however, the new Warden presented himself to be sworn in, the Master and Fellows, no doubt in view of the strong expressions in the judgment of Lord Langdale in their favour in 1841 (see pp. 380-86), took counsel's opinion, and it is recorded on the 16th April 1851 that "The opinion of the Attorney General and M^r Cowling was taken as to the right of the Assistants to vote in the election of a Warden of this College."

The meaning of this entry is evidently that the opinions had been previously taken, and found to be adverse to the rights of the assistants, for on the next day, the 17th April, the following entry is made:—

M^r Richard William Allen attended at the College this day and tendered the Bonds of himself in the sum of £8000 and four Securities in the sum of £2000 each for the due execution of the office of warden of this College to which he claims to have been elected on the 31st of March last.

Resolved: That the Master and Fellows of this College being advised that the election of M^r Richard William Allen to the office of Warden is invalid, refuse to accept the securities so tendered.

M^r Richard William Allen then demanded to be sworn according to the Statutes and admitted to the said office of Warden.

Resolved: that having declined to accept the securities tendered on account of the invalidity of the election, the Master and Fellows cannot swear in M^r Richard William Allen, or admit him to the office of Warden of this College.

GEORGE JOHN ALLEN
C. HOWES
W. FELLOWES
W. L. CHAFY
E. A. GIRAUD.

Upon this Mr. Richard William Allen applied to the Court of Queen's Bench for a mandamus to compel the Master and Fellows to admit him. The case, which was heard on the 17th November 1851, is thus reported in 17 Adolphus & Ellis:—

The writ set out the history of the College and recited all the statutes bearing on the rights of the assistants and the elections of wardens, detailed the proceedings at the election on the 31st March 1851, when Richard William Allen drew the God's Gift lot, stated that he was and always had been ready to perform all acts necessary to his admission, and commanded the defendants to admit him into the place or office of warden, and do all fit and proper acts for this purpose, or shew cause to the contrary.

The return to the writ also set out the proceedings at the election as stated, up to the passing of the candidates by the voices of the electors. It then stated that "John Hensleigh Allen and Thomas Walford Allen were the two persons who then and there had the voices of the said master and fellows, and that the said Richard William Allen, in the said writ mentioned, then and there had no voice of the said master and fellows, or any of them, but had the voices of the said assistants, and each of them, by reason of a supposed right in the said assistants to vote at the said election, and no other voice or voices: whereas no such right in the said assistants was given in or by the said statutes: and the said Richard William Allen was then and there elected Warden by reason and in consequence of the said voices of the said assistants so given as aforesaid and not otherwise: which is the said supposed election of the said Richard William Allen in the said writ mentioned: and so by reason of the premises the said Richard William Allen did not nor could become, nor was, duly elected to the said office or place of warden so vacant as aforesaid."

The question was therefore, simply, whether the assistants had or had not a right to vote at the election, and it was so argued by Sir Fitzroy Kelly for the Crown, and Sir Frederick Thesiger for the College, Mr. Greenwood, who appeared for the assistants, not addressing the Court. On the 19th November 1851, judgment was delivered by Lord Campbell, Chief Justice; Mr. Justice Patteson, and Mr. Justice Coleridge. Mr. Justice Wightman, who was absent, concurring with Lord Campbell:—

Lord Campbell said: Our judgment must be for the Crown in this case. As to the construction of the ordinances I entertain no doubt. The 15th ordinance which provides for the election of warden, classes the master, assistants and fellows together in the category of those who are to "proceed to the election of a warden." It then declares that the "elector" (which we must read "electors,") * "shall make the said election &c." It is true that the ordinance does not specify who those electors are: but looking at the whole ordinance, I think it is clear that the word "electors" refers to those who, according to the previous part of the ordinance, are to "proceed" to the election: namely "the master, the assistants and fellows." But further the 20th ordinance which provides for the contingency of a vacancy at the same time in the offices of Master and Warden, declares that in such case "the senior fellow then present shall, within four and twenty hours, give notice thereof to the assistants to make speedy repair to the College within three days after, to join with the fellows in the election of a new master." Here the assistants have, by express words, a voice with the fellows in the election. It was, however, contended that the 20th ordinance must be construed in connection with the others. But, looking at the others, I can discover nothing to alter the effect of the 20th, or generally, to shew that the assistants have not the right of voting at the election of the warden. It is said that it was unlikely that the Founder should wish to give such a right to Churchwardens, which the Assistants were. I do not see the force of that objection. Churchwardens, at the time when the College was founded, were generally persons of considerable local eminence, whose attendance was likely to be useful to the College: and moreover, the Founder was born in one of the parishes from which the assistants are to be chosen, and might wish, out of affection to that parish, to give one of its

* See page 67.

officers an interest in the College. There is nothing in the language of the Oath taken by the assistants to shew that they have not the right of voting. They swear to the observance of the foundation and the ordinances: but the ordinances provide for the election of master and of warden, and are certainly in favour of the assistants having a voice. The oath of the fellows, who, it is admitted have the elective franchise, is not substantially different. Reference was made to the 41st ordinance, which, it was contended, defined the rights and duties of the assistants. There it is provided that they shall "be present" "when the master and warden shall be elected" and sworn." This provision appears to me to confirm the construction of the 15th and 20th ordinances which I have already adopted. It is difficult to see for what purpose they were to be present at the admission and swearing in, unless they had previously exercised a voice at the election. If there be any doubt as to the construction of the ordinances (which I do not see that there is) the usage, which is set out in the writ, and not traversed in the return, is very material, inasmuch as it is not repugnant to or inconsistent with the ordinances, in which case it would go for little. That usage is in favour of the right of the assistants to vote.

But it was contended that, assuming the Founder to have intended to give, by his ordinances, the right of voting to the assistants, he had no power by law to make ordinances to that effect: First because he was *functus officio* after having executed the deed of endowment: Secondly because he could not give to parties who were not members of the corporation the right of voting at the election to an office of the corporation. As to the first point the charter grants to the Founder, among other powers, the power to make statutes and ordinances. He exercised some of those other powers in 1619 and 1620, by founding and endowing the College: but he did not exercise his power to make statutes and ordinances until six or seven years after. He was not *functus officio* until he had exercised that power, which was one that the Crown had a right to grant, and which he was not bound to exercise at once. As to the second point, it is clear that the Founder, after founding the College, could not alter its constitution as prescribed by the charter, which provides that it shall consist of one master, one warden, and four fellows: still less could he alter it after having made the ordinances. But though he could not alter the constitution of the corporation, he had a perfect right to make the necessary provisions for its maintenance and preservation; and no authority has been cited which shews that none but members of a corporation can be invested with the power to nominate an officer of the corporation, or to join in his election. *Rex v. Bird* (13 East. 367) which was cited in support of that doctrine, decides only that, where a corporation has been once fully established and defined by law, the introduction, by the corporation, of another member is contrary to law. In that decision I fully concur: but here the corporation had not been fully established until the ordinances were made in 1626; no provision as to the elections of officers had been made till then. There are many instances of members of a corporation being elected by parties who are not members. There is no authority to shew that the Crown cannot grant such a privilege; and, if it can, it can grant to a private person the power of conferring it. I do not think that there is any weight in the argument founded upon *stat. 33 H. 8 c. 27*; the statute does not appear to me to apply to the present case. The view which I take as to the power of the Founder to give the assistants the right of voting is in accordance with that which was taken by Lord King in 1728 as appears by the Attorney General *v. Dulwich College* (4 Beav. 261) where Lord King is said to have held that, although the Founder had no right in his 2nd Ordinance, to place the six chanter upon the same footing as the fellows,

which was altering the constitution of the corporation, he had a right to appoint assistants to the corporation, provided he did not make the assistants members. I think, therefore, that with regard both to the meaning of the ordinances and the power of the Founder to make them, we have the authority of Lord Chancellor King in favour of the view contended for on behalf of the Crown.

Mr. Justice Patteson concurred for much the same reasons. The judgment of Mr. Justice Coleridge was as follows :—

I am of the same opinion : but I have arrived at it with more hesitation than the rest of the Court. The first question is : What has the Founder ordained ? The second, If he has given the assistants the right of voting, had he power by law to do so ? As to the first point the most important things to be looked to are the ordinances. The language of the 15th ordinance taken by itself, is not absolutely insusceptible of an interpretation which would go against the existence of such right in the assistants, but the fair inference is that the Founder meant the assistants to join in the voting ; and, looking at the contemporaneous usage, the Court cannot but make that inference. As regards the 2^d ordinance if this question were *res integra*, I agree in thinking that it would be extremely doubtful whether the six chanters and the assistants had not the same rights. The more I examine that ordinance, the less I am satisfied that the Founder meant to make the chanters corporators. The simple argument that he gives the junior fellows votes does not go for much either way. But he declares that the number of members is to be thirty : if the junior fellows are to be reckoned as members, the number will be thirty six. It is not therefore consistent with his declaration that the junior fellows should be members. The 7th Ordinance is important as it is material to ascertain whether the assistants are, by the Ordinances, to have a voice in elections to other offices in the Corporation. Now the 7th Ordinance gives, in the first instance, the election to the corporation, out of qualified objects, and then if there be no such objects, to the assistants. The 8th Ordinance makes them Assistants to the master and warden in "the governing" of the College : a very wide and general form of expression. The 10th Ordinance is also material : the provision is similar to that made in the case of poor scholars : there is first a provision as to the election of the poor brethren and sisters : and then if any of these poor brethren or sisters marry, they are to be expelled by the assistants alone. I now come to the 15th Ordinance providing for the election of warden. I think no one, looking at the whole of that ordinance, can doubt that it intends to place all those who are to "be assembled" and "proceed" to the election, in the same category, and that the word "elector" is meant to apply to all those persons, and not to any who are to be singled out, to the exclusion of others. But if there were any doubt as to the meaning of the 15th Ordinance, the language of the 20th would remove it. We should do violence to the meaning of the words there used, if we construed them in any other way than as giving the assistants the right of voting on the occasion there provided for : the proceedings on which it is provided by the same ordinance shall be the same as those at the election of warden. The 24th Ordinance is also important, as shewing that, where the assistants are not to take a part in the College proceedings they are expressly excluded. If the matter rested there, there would seem to me to be no doubt at all. But there is some doubt raised by the 29th Ordinance which prescribes the Oath to be taken by the Assistants. It is said that there is a distinction between that and the Oath of the fellows. That distinction is referable to the fact that the assistants are

not members of the corporation, but are merely to exercise a sort of inspection over the members, and see that they observe the ordinances. The 41st Ordinance appears to have raised some doubt. The language there used, it is contended, implies that the assistants are merely to be present at the election, not to take any active part in it. If that were the meaning of the words, still they are not strong enough to weaken the meaning of the language used in the preceding ordinances. But, if that be the meaning, it would equally follow that they are also to be merely present at the audit: whereas the 93rd Ordinance expressly provides that they are to take a part in it. They may therefore consistently with the 41st Ordinance, take a part in the election. I am of opinion, then, that coupling the fair construction of the Ordinances with the contemporaneous usage, the only judicial conclusion at which I can arrive is that the Founder intended to give the assistants the right of voting.

The next question is, whether he had power by law to do so. The first objection raised is, that persons who are not members of a corporation cannot vote at elections to offices in the corporation: the second is that the ordinances were made after the power given by the charter had been exercised. This last objection may be disposed of very shortly: for it is quite clear that where a charter creating a corporation gives a power to make ordinances, those ordinances may and often must, be later than the creation of the corporation. As to the first objection, the making ordinances in pursuance of a power in the charter which creates the corporation is in effect the act of the Crown: the real question therefore is whether the Crown has power, by the terms of the incorporation, to give to persons not members of the Corporation the right of voting at corporate elections. *Rex v. Bird* (13 East, 367) has already been explained, and the case of *Sutton's Hospital* (10 Rep. 1a. 23a.) is a decisive authority to shew that the Crown has such power. Where it delegates that power to an individual he is the instrument of the Crown, and his act is the act of the Crown, as much as if both the creation of the Corporation and the nomination of electors had been comprehended in the letters patent. I can find no authority for the qualifications of this doctrine which have been suggested. There are many instances in which the members of a corporation are elected by strangers. The Bishop of Ely nominates the master of Jesus College, Cambridge, and the owner of Audley End the master of Magdalen College, Cambridge. The Crown may give to a corporation the power of making another corporation. (*Bro. Abr. Prerogative Le Roy*, pl. 53.) Why, therefore, may not the Crown grant to its nominee the power of giving some other individual the right of voting at elections to a corporate office though he be not himself a member of the corporation? The only difficulty which could arise in such a case, namely, the event of such individual having no successor, does not arise here, because provision is made for the proper succession of assistants.

Judgment therefore passed for the Crown, and a peremptory mandamus was issued, commanding the College to admit Richard William Allen as Warden.

In consequence thereof, the following minute appears in the election book:—

Dulwich College, 7 December 1851.

Whereas Richard William Allen Esquire was on the 31st day of March last elected Warden of this College, in the place of John Gay Newton Alleyne Esquire, late

Warden, who on the 10th day of March last resigned the said office. And the said Richard William Allen hath executed a Bond to the said College in the sum of £8000 for the due Execution of his office, And hath also delivered to the College the Bonds of Four Sureties duly executed each in the sum of £2000 viz^t

Joseph Anderson of the Holme, Regents Park, Middlesex, Esquire,

William French of Blackheath Park, Esquire,

William Beard of Tormartin in Gloucestershire, Esquire,

John Nicholl of Cross Street, Islington, Esquire,

which several securities were approved by the Master and Fellows of the College.

Now the said Richard William Allen this day attended and took the Oath as Warden expressed in the Statutes, which was Ministered unto him in the Body of the Chapel by the Reverend Charles Howes the senior Fellow in the presence of the Corporation, after having attended Morning Prayers and received the Holy Sacrament of the Lord's Supper, And was in Obedience to a writ of Mandamus of the Court of Queens Bench, Admitted by the Master and Fellows and conducted to his Seat in the Chapel and his Lodgings in the College, And he took upon himself the office of warden.

Though the Warden's admission had been contested as a matter of principle, it does not in any way appear that he was received by the Society otherwise than in a friendly spirit. On the contrary, the proceedings of the College seem to have been exceedingly harmonious after this until its dissolution. He dined at the College, apparently for the first time, on Tuesday, 6th January 1852.

The first minute signed by him was one on the 6th February 1852, by which Dr. Thomas Cox* was elected head master of the College Grammar School.

* Dr. Cox subsequently became much impoverished. He was admitted in April 1879, a poor brother from Camberwell, and died in the College Almshouses in 1884.

CHAPTER XV.

HISTORY OF THE COLLEGE, 1852-1857.

WHILST the dispute as to the Wardenship was proceeding, the question of the education of the poor scholars had not been allowed to sleep.

Whether the College propounded any scheme for a reform is, as has been already said, doubtful, but on the 11th August 1851 the Archbishop, Dr. J. B. Sumner, issued the following Injunction :—

John Bird, by Divine Providence, Archbishop of Canterbury, Primate of all England and Metropolitan, Visitor of the College of God's Gift in Dulwich, in the county of Surrey.

To the Master, Warden, Fellows and Assistants of the said College, Greeting.

Whereas complaint having been made to us by petition from the two senior wardens of the parish church of Saint Saviour, Southwark, in the said county of Surrey, being two of the Assistants of the said College at Dulwich, That in the management of the school of Dulwich College aforesaid, the intention of the Founder was not fully carried out, inasmuch as the twelve poor scholars do not receive such instruction as would fit them, according to their capacities, either to be placed out as apprentices, or to be sent to the Universities for the completion of a learned education, which intention ought to be carried into effect as nearly as the altered circumstances of the times permit. Now we, having taken the matter of the said petition into our consideration, do hereby declare and direct that the following changes shall be made in respect to the Education of the Poor Scholars.

First. That further accommodation shall be provided for the Scholars by applying for that purpose such part of the standing balance as was carried over at the last audit in respect of the lapsed shares of surplus Revenue, or as much of the same as shall be required.

That in all future distributions of the Surplus Revenue a due proportion be reserved for the benefit of the poor Scholars.

That in regard to their Education and preferment all the Boys shall receive instruction in Reading, Writing, Arithmetic, and the Latin Grammar as heretofore indiscriminately until they attain the age of Fourteen years, and that such of the Boys as shall not be kept in College under the regulation next mentioned, shall be put out as apprentices at that age.

That a portion of the Boys to be selected by the Master, Warden and Fellows on account of their talent or application, and not exceeding at any time Four in number, shall be allowed to remain in the College until the age of Fifteen or Sixteen years, and

during such extended period of their residence in the College, shall receive in addition to the education in the College School, such instruction as shall be considered most beneficial with a view to their being placed in higher positions of Society, that is to say: Instructions in Surveying, Chemistry, Civil Engineering, or any of the applied Sciences, according to their respective capacities, and that they be put out accordingly as soon as opportunity shall offer, not later than the age of Sixteen years, except in any particular case, where superior talent and other circumstances may appear to render it probable that the interest of the individual would be better consulted by a classical education until the age of eighteen years and by his being then sent to the University.

That such extended instruction be afforded at the expense of the College either by the attendance of Professors or other extra teachers at the College, or by arrangements for the attendance of the Boys while resident in the College at some practical Educational Establishment such as King's College, London, or the London University, and that all expenses attendant thereon be considered as expenditure on account of the poor scholars.

That suitable allowances (either annually or in gross) be made to the Boys by way of preferment at their departure from the College, as well those put out Apprentice, as those otherwise put forth or sent to the University, regard being had to the nature of the respective occupations and positions, and to the extent of benefit to which the poor scholars as Members of the Corporation are entitled out of the surplus revenue. And we do direct that the scale of such allowances be submitted to us as Visitor aforesaid as soon as the working of this Scheme shall enable you the said Master, Warden and Fellows so to do.

And we do hereby further decree and direct that the costs and expenses on both sides attending this matter be paid out of the funds of the said College.

And we do likewise hereby direct you and every of you to register or cause to be registered this our Decree in the Book wherein the acts of your said College are registered, and that you carefully place this our original Decree among the Archives of the said College.

In witness whereof we have caused our Archiepiscopal Seal to be affixed to these presents. Given at our Palace at Lambeth, the Eleventh day of August in the year of our Lord one thousand eight hundred and fifty one, and in the Fourth year of our Translation.

J. B. CANTUAR.

On the 4th September 1851 the Master rendered an account as executing the office of Warden, vacated by John Gay Newton Alleyne on the 10th March 1851, showing £7716. 11s. 7d. due to the College, which account was signed by five assistants.

On the same day a poor scholar of St. Luke's, William Cakebread, being considered a boy of talent and application, was selected by the Master and Fellows to remain in the College, under the Visitor's Injunctions.

Two other boys, Jennings and Bateman, were also subsequently retained at the College till they were sixteen, and there the effect of the Archbishop's Injunctions appears to have ended, the first of them, which provided that a fund for superior education should be raised by appropriation of the

“lapsed shares of surplus Revenue,” that is, of the moneys left in the hands of the Warden at the March audit, being entirely disregarded.

On the 6th August 1851, the Committee of the Dulwich College School Association issued a somewhat prolix report, which commences with the following recapitulation of the history of the association :—

A period of ten years has now elapsed since the formation of this Association. In taking a retrospective glance at the proceedings of the Association during this period your Committee are persuaded that there is much, very much, for congratulation. And considering that we have for the most part been struggling against a powerful current, it is encouraging to be able to show not only that our Society still exists, but that your Committee, undiscouraged by apparently insuperable difficulties and by impediments thrown in their way, have persevered faithfully and to a great extent, effectually, in carrying out the best objects contemplated at the formation of the Society. And your Committee are satisfied that the steady progress of the proceedings of the Society may be considered as auguring well for its prosperity and permanence. The Dulwich School Association, it may be remembered, was instituted in 1841. It received the Patronage of the Gentlemen of the College, and it proceeded pleasantly and prosperously so long as the Members seemed content to circumscribe the benefits of the Society more immediately to themselves, but it was not the sole object of those who called the Society into existence. No! it was destined to be of unlimited usefulness and unbounded benevolence. Therefore, when it became notorious that those Boys for whom the Founder had made such ample provision, were for the most part illiterate; and that those arriving at manhood, were, with few exceptions, in abject poverty, the Society felt that if they were to be of any use as a Society they must endeavour to bring about a more healthy state of affairs at the College: that they must go at once to the fountain head in order to purify the streams.

They therefore submitted to the Gentlemen of the College that the Boys were very deficient as compared even with the ordinary National Schools, and the Association requested that they might be allowed to offer Rewards for the purpose of stimulating the Boys. This was granted for Penmanship, but finding the Association were for improvement in Education generally, the College at once disallowed the rewards altogether. The Association then, anxious to be doing something to elevate the College Boys, volunteered their Services in procuring them better Trades than Tinkers, Tailors, and Shoemakers. This offer was accepted by the College, and the Association exerted themselves to benefit the Boys in this respect, but they found that the Boys were so unfitted for any superior Trade or Profession, that they arrived at the conclusion that under the circumstances these Trades were judiciously selected by the College, being such as required little or no Education.

The Association then held a General Meeting upon the degraded position of the Boys while at the College and consequently in after life, and they resolved at once to memorialize the College. A respectful Memorial was accordingly sent to the College in February 1844, together with the Reports of the Committee appointed to seek for better situations for the Boys and also to inquire into the state of Education given at the College.

The Gentlemen of the College, in reply to the Memorial, stated that “as to the “education of the Boys, the Members of the College have endeavoured to do their

"duty to the fullest extent, they believe they have done so, and have acted according to the true spirit of the Statutes and therefore cannot admit of any interference." A correspondence between the Association and the College was entered into on the subject and in further explanation of the Memorial, which terminated in the Master, Warden and Fellows withdrawing from the Association. The Warden, J. G. N. Alleyne, visited the apprentices to forbid them attending the Anniversary Meeting of the Association, and requested their Masters not to give them a Holiday on the Anniversary in future. And the usual awards to the Boys on the termination of their Apprenticeship were given on the condition that they would never join the "Dulwich College School Association."

The Association much regretted that this Memorial did not meet with a more favorable reception at the College, they were however not to be discouraged, and resolved as their next step to Memorialize the Visitor His Grace the Archbishop of Canterbury. A Memorial was accordingly forwarded to His Grace on the 10th June 1848. His Grace acknowledged the receipt of the Memorial, and assured the Association that he would not fail to take the matter into consideration as soon as opportunity allowed. The Churchwardens of St Saviours having honoured the Association with their company on several of their Annual Meetings became more familiar with the degraded position of the College Boys, and felt it their duty as "Assistants" to the College to institute further enquiry, and having satisfied themselves that the Will of the benevolent Founder was sadly abused, they, with those benevolent purposes and praiseworthy efforts which have characterized them in St Saviour's for warmly defending the poor, and extending to them every advantage of Parochial Charities and bequests, felt it their duty to memorialize His Grace the Archbishop of Canterbury. The statements in their Memorial which related to the College Boys were confirmed by Affidavits made by Members of the Association. His Grace in reply to this Memorial resolved upon hearing the arguments by Council (*sic*) at the Arches Court, Doctors Commons on the 12th and 13th of April 1850. At the close of which His Grace remarked that so much had been brought before him, that he must take time to consider his decision. This slight retrospect may suffice to shew that the Association has not been working for the past ten years of its existence solely for the benefit of its present Members, but has used every effort for the benefit of the rising generation and that the Will of the benevolent Founder of Dulwich College should be justly carried out. Your Committee have endeavoured with prudence and energy to discharge the duties which the Society have entrusted to them, and they have looked with earnest solicitude on the progress of others engaged in a similar work with themselves in reference to the College, those efforts especially which are calculated to elevate the moral and intellectual condition of the College Boys. Your Committee cannot lose sight of the Education of the College Boys, they fear they have not in the Memorials sufficiently urged the vast importance of a Religious education, which, strange to say, appeared to be the least regarded during that period (a quarter of a century) to which the Reports and Memorials of the Association more particularly refer.

The report then proceeds to support the election of Mr. Richard W. Allen to the Wardenship, which election was then in dispute; to refer to the petition to the Archbishop, whose Injunction was issued immediately afterwards; and finally, to congratulate the members upon the success of the

Association in causing inquiry to be made into the state of the education of the boys at Dulwich College.

From this time the history of the College mainly consists of negotiations with the Crystal Palace Company, Mr. Wythes, and Mr. Fuller, as to land to be taken, roads to be made, and building contracts relating to the Sydenham portion of the estate, on the one hand, and the proceedings of the Charity Commissioners, which eventually culminated in the Act of 1857, on the other.

It would be tedious and seems unnecessary to enter into details with respect to the negotiations as to the land question, which were managed on behalf of the College by Sir Charles Barry and Mr. Charles Druce, resulting, as is well known, in a very large increase to the College revenues.

The first mention of the Charity Commission's action is found on the 5th May 1854, when the following entry appears :—

“A letter addressed by Mr Thomas Hare, Inspector under the Charity Commission, to Mr Druce, intimating that the said Inspector had received instructions from the Commissioners to enquire into the state and administration of the College, and requesting Mr Druce's attendance at the Office of the Commission being read, Mr Druce was directed to attend as desired.” At the next meeting on the 12th of May, Mr. Druce reported that he had attended the Inspector of the Charity Commission according to his request, and answered his inquiries as a preliminary to the attendance of the Inspector at the College, which would probably take place in June, and it was “Ordered that Mr Druce do furnish the Inspector with a Plan of the Estate and with copies of the Statutes and Injunctions and any other Information required.”

On the 19th May 1854 a letter from Mr. Hare, addressed to Mr. Druce, and dated 18th May, was read, and it was resolved, “That Mr Druce do make out the account required, including a copy of the Weekly accounts for the year ending 4th March 1854, and furnish the same and any other information required, but that it is not deemed expedient to send the Weekly ledger from the College, unless ordered by the Commissioners, the same being in daily use.”

No further mention of the matter is made until the 16th June, when a notice from Mr. Hare, appointing a meeting for Thursday the 29th June, at the College, to inquire into the state and administration thereof, and whether any and what improvement may be made therein, was read and considered.

On the 23rd June the course to be taken at this meeting was considered, and it was resolved that Mr. Druce do engage a shorthand writer to attend. The meetings actually extended to four days, viz. 27th, 28th, 29th, and 30th June 1854.

On the first day the Master, Mr. George John Allen, was examined, stating that his emoluments as Master were £40 salary and forty parts of the dividend, making altogether £640 in cash, besides the benefit, along with the Warden and Fellows, of the common table of the College, and board and lodging for his servant, whose wages he paid himself. He enumerated the in-door and out-door servants of the College, and explained that part of the balance described as delivered to the Warden as the first receipt of moneys, amounting at the last audit to £5617. 2s. 7d., was represented by £4000 consols and £2000 $\text{£}3\frac{1}{4}$ per cent. annuities, the interest on which was not carried to the general account of the College, but to a fund called the repairing fund, which was made up, in addition to the above-mentioned interest, of monies received for land tax, pew rents, dilapidations, timber sold, and of the interest of an exchequer bill for £1000, in which a portion of the capital of the repairing fund had been invested.

He stated the income of this fund for the last year to have been £973. 1s. 5d., inclusive of a vote to the repairing fund of £30 from the general account, and that the balance of cash at the end of 1853 was £944. 9s. 4d.

From this fund, he said, any extraordinary expense, not falling within current disbursements of the College, was usually paid. About £2000 had been expended from the fund in the repairs of the chapel in 1851, and legal expenses, amounting to £1400, including the hearing before the Archbishop and the costs of the mandamus, had also been paid from it in 1851 and 1853.

He explained his duties as Master, statutable and otherwise, and the constitution of the College Grammar School, and expressed his opinion that no case had happened during the period of his connection with the College in which it would have been desirable for the future welfare of any boy, that he should be sent to the University.

Mr. Richard William Allen, the Warden, was next examined, and stated his emoluments to be £480 in money, with the same advantages in regard to board, lodging, servant's and horse's keep, as had been detailed by the Master. He described his duties, and handed in various accounts.

He considered, differing from the Master, that one of the boys who had left the school since he had been Warden, would, if sufficiently educated, have been qualified to be sent to the University. This boy was William Cakebread, who left in 1853, at sixteen years of age. He had expressed his opinion, from which all the other members of the College differed. Cakebread had then been apprenticed to a Mr. Walker, an iron-house builder.

Several of the poor brethren and sisters were then examined, and deposed that they received £11. 17s. 5½d. per month, one pound of bread

and one pot of beer daily; besides £2 a year faggot money, and every two years the surplus of the gown money, amounting on the last occasion to £13. 16s. 3d. They also received 19s. 5d. yearly from the Master (Lady Falkland's gift).

Some of these poor brethren and sisters stated that, according to agreement made previous to their election, they allowed £30 and £40 per annum either to the candidate with whom they drew lots, or to the inmates of the almshouses of their parishes.

On the following day, the 28th of June, the Rev. Edwd. A. Giraud, fourth Fellow, was examined; he deposed that his emoluments in cash were £165. 13s. 4d. yearly, and explained that he taught the boys to sing simple psalmody by notes (formerly called prick-song), to chant the hymns after the lessons, to sing the Gloria Patri after each read psalm, together with a sanctus and the responses after the Ten Commandments.

To perform these his presumed duties more effectively, he engaged at his own cost a person who was a poor scholar of the College, but had been for the last six years apprenticed to an eminent organist, to come twice a week to assist him in teaching the boys; he thought also that he was materially benefiting and assisting that late poor scholar of the College in his present line of life.*

On Sundays he practised the boys before morning service, and himself took the whole of the organ duties, playing both morning and afternoon in the service of the College chapel.

The Rev. William Fellowes deposed that he was the second Fellow of the College; that his emoluments were £200 per annum in money, and the benefit of the common table of the College, unfurnished rooms rent free, and coals and candles found.

He stated that his statutable duties as second Fellow (statute 33) were to preach one sermon every Sunday, and daily to attend (as likewise all the Fellows) the Master and the Warden to the chapel, and to do all offices belonging to the ministry, such as to celebrate the sacraments, wed, bury, christen, also to visit the sick within the College. He then proceeded thus:—

The duties I perform, with my reasons, are as follows. On offering myself as a candidate for the vacant fellowship, I was informed of the duties performed by my predecessor, and was told such duties would devolve upon his successor. Assuming that they were the statutable duties, I undertook to do them, and have done them to the best of my power. After residence, on reading the statutes, I discovered that the usage was contrary to the express words of the ordinances, and therefore would, in the eye of the law, go for nothing. It did not, however, appear to me expedient to raise a question, the settlement of which was evidently not far distant, and therefore I continued to perform the duties by conventional agreement, and in accordance with, as I am informed, an injunction, which however enjoined, is an usage not supported by the

* Named Holmes, still (1888) a pensioner of the College.

ordinances. I have never, in any other sense, considered it at all my duty to instruct the boys. There are at this date only ten boys in the school; of these the number who have arrived at a degree of intelligence at which they may be usefully instructed in Latin is five. The Latin books now in use are—King Edward the Sixth's Latin Grammar, T. K. Arnold's Henry's First Latin Book, T. K. Arnold's Henry's Second Latin Book, T. K. Arnold's Latin Prose Composition, Part I. No Latin classical author is now read, as Virgil, Cicero, or Nepos; but when they would commence these, they are taught in lieu of them French. The French books used in the school are—Hamel's French Grammar by Lambert, T. K. Arnold's First French Book, L'Echo de Paris (Lepage's), Correspondence Commerciale to translate into English, and Anderson's Commercial Correspondence to translate into French. Since the instruction in French was introduced, I have heard the French lessons every morning in every week, and examined daily the French exercises, so that they may be prepared for the French Master (Mr. Grandnom), who attends two hours twice a week, and receives payment from the College. French has formed part of the instruction in the College since the late injunction of the present Archbishop of Canterbury in 1851. At this moment only one is learning French; another will commence after the holidays. Drawing is now also a part of the education; this dates from December 1853. M^r Gaudée is the master; he attends twice a week for an hour at a time; he is paid by the College. The number of boys learning drawing is four. Greek, to the best of my knowledge and belief, has never been taught in the College; had it been so when I came, it would have been continued. My view has been only to carry on the system of education as I found it, with the exception of modernizing it, and giving it, to the best of my judgment, a more practical turn. With this view Latin classical authors have been lately discontinued, and the following subjects have been introduced—Joyce's, Scientific Dialogues, Joyce's Catechism of Nature, Johnston's Catechism of Agricultural Chemistry and Geology, Outlines of Chemistry, by Griffiths; Minerals and Metals, The House I Live in, Common Things from Guy's School Question Book, Mangnall's Historical Questions and Sacred History, Euclid books I. to VI., two of the boys are now learning Euclid; D^r Watts' Scripture History, Bushby's Introduction to Holy Scripture, English Grammar by Sullivan (Irish Board), Geographical Primer England, and Foster's General Geography (Chambers' Series); book keeping, single and double entry; mental and commercial arithmetic with logarithms; chain rule and exchanges. Further alteration, such as the introduction of Greek, I did not deem either necessary or expedient to make, as the probability of some definite and permanent arrangement of the school and College seemed inevitable and impending. These are the main facts with respect to the present education of the children, and such are the duties I have discharged, however inefficiently or unsatisfactorily to myself and others. I would, however, again observe, that since I became a member of the College, I have considered myself only nominally master of the school. I have pursued the system which, as far as I know, has always been pursued, of taking the duties alternate weeks with the third fellow. Some inconvenience cannot but have arisen from the want of uniformity of system and continuity of study, which would not have been the case had the education of the children been wholly conducted by one person. The difference also of ages and capacities renders it quite hopeless and impossible to pursue any one system which would be applicable to the twelve children. The holidays allowed in the school during the week are the Saints' days; those during the year are, one week at Easter, four weeks at Whitsuntide, three weeks (and odd days if any) in September, and four weeks at Christmas: and during these periods, some

boys each week for a few days are permitted, if they wish it, to be absent from the College with their parents or friends. The hours I attend and have always attended the school during my week of duty, are—

From 9 to 2 on Monday, Wednesday and Thursday

9 to 11½ on Tuesday

9 to 12 on Saturday

9 to 1 on Friday, at which hour the weekly College meetings are held and which sometimes are prolonged till six o'clock. These I have constantly attended, with punctuality and regularity, for the conduct of College business. If any work is left undone during the hours mentioned above, it is finished between half-past four and quarter before six. I consider every other week to be entirely devoted to the boys, and have always given them whatever time has been found requisite for the work. There is, however, no regular afternoon school. Formerly, I understand, the boys were taught singing in the afternoon, but of this I can assert nothing of my own knowledge. It has generally been, I think, considered by the College that the future prospects of the boys would be better consulted by putting them out to trades of a higher class, or to professions, than by preparing them for the universities. Indeed, there would be great difficulty in sending them there, unless it was decided to do it at an earlier age than 14. If that course (which I have never had reason to anticipate) were determined on, it would be absolutely necessary that they should commence learning Greek when or before they arrive at the age of 12 years. Under the injunction of the present Archbishop, the College decide at the age of 14 whether they shall be retained in the College until 16. Since that injunction one boy (Hulse) has been apprenticed out at 14 to a compositor. This boy was a good, amiable and well-conducted boy, but I never could get him to retain any knowledge: he had no memory in this respect, and this fact I have stated at different times to the church-wardens of St Saviours parish from which he came. The same fact was also stated to his parent by myself. Cakebread, Jennings and Bateman were retained in the College under the injunction till the age of sixteen. At that age they had not been instructed in Greek at all, nor had they in other respects been prepared with a view to their proceeding to the university. They, therefore, were not fit, but in my judgment they might have been so prepared, had it been decided early enough. I feel sure they had sufficient capacity.

Cakebread left the College Nov^r. 9. 1853; Jennings left the College Feb^r 8. 1854; Bateman left the College June 8. 1854.

The Rev. Charles Howes, senior Fellow of the College, deposed that his emoluments were £200 per annum in money, with the benefit of the common table, apartments, etc., and that he also received a sum varying from £5 to £10 a year from surplice fees. His duties were to preach twice on a Sunday in the College chapel, to celebrate the sacraments, perform the services of baptism and burial, and visit the sick within the College. Besides these statutable duties, he, in compliance with the custom observed by his predecessors, gratuitously acted as the officiating clergyman to a surrounding neighbourhood, consisting of nearly all the hamlet of Dulwich and a small population immediately adjoining.

On the 29th June, Mr. Robert Farmer of Mount Street, Lambeth, was

examined. He deposed that he had formerly been a poor scholar of the College, and had become a chemist and druggist. He asserted that in his time there were boys who were fit to go to the University. He mentioned two,—Edwin, whom two of the members of the College desired to be so sent; and Sheppard, who was apprenticed to a stationer, and rose to be the master of a large business, and whom he had heard say that justice was not done to him in the College, and that he would have preferred to have gone to the University.

He also mentioned another boy, Hartley, who was apprenticed to a printer, although his uncle, who was a solicitor, wished to have him articled to himself.

He read a list of names of boys, with the trades to which they had been apprenticed, and also letters which he had received from apprentices when acting in the capacity of steward to a dinner given by the Dulwich College School Association in 1842. The composition and spelling of these letters, he said, showed the miserable education which the boys had received. In fact, those who obtained any education of value did so by going to school afterwards, as he, and to his knowledge, several others had done.

He also complained that the members of the College threw impediments in the way of any communication between the apprentices and his association, and read a letter from an apprentice, David Jones, dated 22nd July 1843, stating that the Warden of the College had called upon his master, and requested him not to allow him (Jones) to attend the association dinner, as the gentlemen of the College would not be present. So much difficulty, in fact, had been thrown in the way of any intercourse between the association and the scholars, that for the last three or four years he had not attempted any, and could not say that he had spoken to any of those now in the house.

He also believed that the lands of the College were underlet.

On the 30th June 1854, Mr. Charles Druce of Billiter Square, solicitor, deposed that he and his brother were joint solicitors of the College, having succeeded their father, who died in 1845.

He said that in letting College property the Corporation generally and almost universally took the advice of their surveyor in all respects. He was of opinion that the estates of the College were adequately let, but had no doubt that they were susceptible of improvement.

Two building contracts had been made,—one with Mr. Wythes at ascending rents ultimately amounting to £1871, and one with Mr. Francis Fuller for another portion of Dulwich Wood at rents ultimately amounting to £2009. A terrier of the lands of the College was in course of preparation, under the direction of the Inspector of Charities, in which it was designed to show the quantities of land in each holding, the rental, and the terms of years, or other tenure, on which the same were holden.

Some more of the poor brethren and sisters were then examined, and deposited to the amounts they received and to the arrangements they had entered into to make payments to those who drew lots with them, or to the almshouses of their parishes, when the inquiry terminated.

On the 7th July 1854, a letter addressed by Mr. Marsden, vestry clerk of Camberwell, to Messrs. Druce, inquiring if the College intended to send in any scheme to the Commissioners of Charities, being read, it was resolved, "That Mr Druce do answer the same and state that the College in the present state of the enquiry are not prepared to say whether or not they will send any scheme."

The scheme of the parish of St. Saviour's and matters connected therewith were also discussed, the subject being adjourned to the 10th July, when at a special meeting it was further considered, a scheme suggested by the parish of Camberwell being also read; and it was resolved, "That Mr Druce do communicate to Mr Parson (the vestry clerk of St. Luke's) that in the present stage of the enquiry by the Inspectors of Charities the College cannot become parties to any of the proposed schemes."

At the regular meeting on Friday the 14th July, Mr. Druce reported that he had communicated with Mr. Parson as directed, and the pending proceedings were further considered.

On Friday the 11th May 1855, a letter from the secretary to the Charity Commission, with heads of proposed scheme for the future regulation of the College inclosed therein, was read and considered.

On the 21st December 1855, the new scheme of the "Commissioners of Charities" was considered; and on the 28th December the objections and suggestions to the proposed scheme were read and agreed to, and it was resolved that the same be signed by the Master.

The College had by this time begun to consult the Commissioners in respect of matters concerning its management, for at this meeting a letter from the secretary was read, leaving it to the discretion of the College to assent to or dissent from the East Kent Railway; and it was resolved that the College should dissent, notices thereof being accordingly signed by the Master.

On the 8th February 1856, a letter from the "Commissioners of Charities," inviting the attendance of the members of the College at the office of the Commission on the 11th inst., being read, it was resolved "that the Master and such of the Members as find it convenient" should attend.

On the 20th March 1856, it was resolved "that Counsel be retained to appear for the College on the Bill expected to be brought into Parliament on the Report of the Commissioners of Charities and that Retainers be offered to Mr. Serg^t. Wrangham and Mr. Venables."

On the 27th June 1856, Mr. Druce produced and read the Bill just

introduced into the House of Lords for confirming the Charity Commissioners' scheme, and it was resolved "that a petition be presented to be heard thereon in such form as counsel (M^r. Venables) shall advise"; and at a special meeting held on the succeeding Monday, the 30th June, a "petition against the Bill in Parliament for confirming the scheme of the "Charity Commissioners" being read, it was resolved that the College seal be affixed thereto. On the 15th July, the seal was also affixed to a petition to the House of Commons, praying to be heard by counsel on the Bill for confirming the Commissioners' scheme.

During the progress of the inquiry, the College, with the consent of the Commissioners, suspended the filling up of the vacancies which occurred in the poor brethren, sisters, and poor scholars, the last appointment of a Camberwell scholar in the election book being dated 9th November 1849.

On the 25th July 1856, a letter from the churchwardens of St. Luke's was read, requesting that the vacancies occasioned by the death of T. Newman, and the discharge of J. Fawcett and J. E. Outram, might be forthwith filled up; and it was resolved "that a copy thereof be transmitted to the Charity Commissioners, and, further, that a case be prepared for the opinion of counsel as to the expediency of filling up vacancies or the consequences of omitting to do so, and that the same be submitted to Sir Fitzroy Kelly, M^r Roundell Palmer and M^r Venables, if their opinions can be obtained at this time."

The Commissioners appear also to have taken advice on the matter, and to have decided not to incur the responsibility of sanctioning any longer the suspension of elections, for at the meeting held on the 1st August 1856 a letter from their secretary was read, stating that the authority given to the College to abstain from filling up vacancies in the College was withdrawn.

The opinion of Sir F. Kelly, Mr. Roundell Palmer, and Mr. Venables is preserved at Dulwich, and is to the effect that the College ought to fill up all vacancies, keeping the Commissioners informed of their proceedings. Accordingly, the election book contains a notice, under date of the 15th August 1856, of the election of a Camberwell scholar in the place of Henry Woodyell, and at the same time the vacancies amongst the scholars belonging to the other parishes were also filled up.

The session of Parliament being at an end, nothing further occurred until the 20th February 1857, when Mr. Druce reported the result of his inquiries as to expected proceedings in Parliament on the Charity Commissioners' scheme, and it was resolved "that M^r Druce be directed to retain Sergeant Wrangham and M^r Venables on behalf of the College, and to prepare such petition or take such proceedings as may appear necessary."

Parliament was dissolved on the 21st March 1857, a new Parliament meeting on the 30th April, when a fresh Bill was at once introduced into the House of Lords; and on the 25th May the College seal was affixed to a petition to that House "on the bill of 1857 for confirming the scheme of the Commissioners of Charities, with certain alterations."

Petitions had meanwhile been presented by other parties; and on the 12th June those of the churchwardens of the three London parishes jointly, and those of the churchwardens and vestry of Camberwell, of certain leaseholders of Dulwich, and of parties on behalf of the theatrical profession, were read at Private Sittings.

On the 17th July 1857, it is recorded that "the College bill having been read a second time in the House of Commons and referred to a Select Committee, the Seal was affixed to a Petition to the House similar to the one presented to the House of Lords."

The second reading had taken place on the 16th July, when it appears on the votes of the House of Commons that it was ordered, "That the Dulwich College bill be read 2^o, and committed to a Select Committee."

It was also ordered, on the 17th July, "That the Petition of the Churchwardens of S^t Botolph's, S^t Luke's and S^t Saviour's (presented this day) be referred to the Committee;" on the 21st July, "That the petitions from Dulwich College (Master, Warden and others) and vestry of S^t Giles (presented this day) be referred to the Committee;" and finally, on the 22nd July, "That all petitions relative to the Dulwich College bill be referred to the Select Committee on the Bill; and that such of the Petitioners as pray to be heard by Counsel be heard accordingly: if they think fit."

The Select Committee consisted of—

The Right Hon. Matthew Talbot Baines,	member for Leeds,	Chairman.
Mr. Miles,	"	East Somersetshire.
Mr. Wm. Ewart,	"	Dumfries.
Mr. Ingham,	"	South Shields.
Mr. Headlam,	"	Newcastle-on-Tyne.
Mr. Thomas Duncombe,	"	Finsbury.
Mr. Alderman Copeland,	"	Stoke-on-Trent.
Mr. Alcock,	"	East Surrey.
Mr. Knight,	"	West Worcestershire.
Mr. John Locke,	"	Southwark.
Mr. Taverner Miller,	"	Colchester.
Mr. Wickham,	"	Bradford.
Mr. George Clive,	"	Hereford.
Mr. Cross,	"	Preston.

The scheme of the Charity Commissioners provided for the dissolution of the existing Corporation and the establishment of an upper and a lower

school, with foundation scholarships attached to the latter, and exhibitions to the former. The net revenues were to be divided into four parts, of which three were to be allotted to the purposes of the school, and one to the maintenance of almspeople, both male and female.

The government of the property was to be vested in fifteen governors, four of whom were to be elected by the parishes of St. Botolph's, St. Luke's, St. Saviour's, and St. Giles, Camberwell, and the remaining governors nominated by the Court of Chancery, one of these to be resident in Dulwich.

A head and second master of the upper school and a head master of the lower school were provided, who, however, were subject to the governors.

A pension of 20s. per week was to be given to as many poor men and women as the funds would admit of, residences being also provided for them; and finally, pensions of £1015 and £855 were granted to the Master and Warden respectively for their lives, the Warden to receive the larger pension if he survived the Master; £500 each to the two senior Fellows, and £486 to each of the two junior Fellows; and further, £150 each to the existing poor brethren and sisters.

The House of Lords considerably modified this scheme. They established a Warden to administer the revenues, subject to the control of the governors, placing the latter in the position of mere overlookers, and provided a new church and an incumbent, with a stipend, a residence, and an ecclesiastical district, an arrangement which would have crippled the resources of the charity for a long time to come.

None of the several parties petitioning appear to have had any objection to the reform of the Corporation. All seem to have admitted that an Act of Parliament was needed. The members of the Corporation, who had the greatest personal interest in the matter, agreed that a change was necessary, and only watched the proceedings through their counsel, Mr. Venables, in order to repel any charge of mismanagement that might be made. Mr. Venables' cross-examination of the witness, Mr. Briscoe, who gave evidence on behalf of the interested parishes, was directed entirely to this point, and his re-examination of Mr. Druce was also intended to show that the management of the College had, all along, been strictly according to law.

The members of the Corporation were naturally anxious as to their retiring pensions, which had been fixed by agreement with the Charity Commissioners, and it would seem that there was at one time some fear that the Select Committee might throw out the portion of the Bill conferring the retiring pensions on the Master, Warden, and four Fellows of the College. Mr. Howes, the senior Fellow, thereupon wrote a letter to the Committee, which was presented on the 29th July, with a statement of

the income and advantages which he derived from his position at the College.

This letter and statement are as follows :—

Sir,

Dulwich College, 28 July 1857.

I have heard on some authority that it is not the intention of your Honourable Committee to allow the retiring pensions claimed by the master, warden, and four fellows of Dulwich College.

I have heard this with both surprise and anxiety—with surprise, because they are so far less than we could justly claim; and with anxiety, because my income from this College is my entire dependence. May I ask your attention to the enclosed paper, and humbly pray, that should your honourable committee at all doubt the perfect justness of the claims set forth, you will leave the matter to the decision of a jury. I shall be present to-morrow, ready and willing to be examined on all matters concerned in the point in question.

Yours respectfully

CHARLES HOWES, M.A.
First Fellow of Dulwich College.

To the Hon. M. T. Baines
and other Honourable Members of the
Dulwich College Committee.

STATEMENT on the part of the Rev. CHARLES HOWES, Fellow of Dulwich College, of the
Income and Advantages he derives from his position at that College.

£ s. d.

Two good sitting-rooms, two good bedrooms rent free, and kept in good order and repair by the college (I may add well situated in every particular)

Full board, breakfast, lunch, dinner, &c. &c. and every refreshment called for, including wine, attendance of butler, footman and housemaid, services of cook and under cook, plate, and dinner linen, &c. &c., all kept in good order and supplied freely when wanted

Coals and candles to any extent wanted

Rates and taxes paid by the college

Stationery, pens, ink, and paper

£

I beg attention to the above items, and then ask Honourable Members whether these advantages could be purchased for the sum of £350

Income in cash last year 236

£586

The sum agreed on is £500, a sum very far below what might be in strictness claimed. Our incomes are annually increasing, but in lieu of all rights of increasing incomes from that increasing rent roll, the Commissioners make our pensions for life.

Let me add, that we are absolute owners of the property, and do not hold it in trust. I have not put down specific sums as a valuation of the above items, leaving it to Honourable Members to put down what they think proper. But I will add, that every advantage I enjoy is rightfully enjoyed according to the strict letter of the statutes. It will be observed also, that I have entirely left out of all consideration the enjoyment of large common rooms, such as dining room, &c. &c., use of a good library, and a large and even beautiful garden. My duties ordered by statutes (apart from those which I perform voluntarily and gratuitously) are very little more than preaching one sermon on a Sunday. See Statute 33.

Signed by me, as a true and correct statement

CHARLES HOWES, M.A.

First Fellow of Dulwich College.

Asked whether there was anything he wished to add with regard to this subject beyond what appears upon the face of the paper, Mr. Howes replied :—

I hardly know that there is, except in general terms, to say that we have honestly and truly put these things at a lower sum than we believe we are justly entitled to, not wishing to throw the slightest impediment in the way of a Bill passing, which, generally speaking, we think is a very necessary measure. But I think we should all agree in denying that these sums are, in a business point of view, anything like a fair or adequate remuneration for what we lose: board and lodging are terms which are very different according to different circumstances. I was a fellow of my College at Cambridge, and if any one had asked me at what I valued my board and lodging, I should have put it at almost £100, and have thought that I was putting a fair sum. That is not the case with the board and lodging at the College. The rooms are extremely comfortable, and everything good of its kind; not anything like so much as by the statute we might expend upon those things. It is a different thing—I put it respectfully before the Committee—whether you have board and lodging, merely what is absolutely necessary, and that which is conducted on a free and liberal scale.

After answering some further questions as to the expenditure on living and the authority for it, Mr. Howes said :—

Allow me to draw your attention to the 117th item of the statutes. You see there, for the increase of diet for the master, warden, and fellows 127 parts. I once made a calculation, and I think it is £2000 a year. I say that without wishing to commit myself to a very accurate sum. I believe it has never been questioned by any one that we have a perfect right to live as we do live; and on the contrary, it has been a joke amongst us, that if we chose to spend what we might legally spend, it would be a perfect absurdity. No one would wish to do so; it would be living more expensively than any reasonable gentleman would wish to live. We do not live in any absurd sumptuous style, but only as private gentlemen. I would draw the attention of the Committee to our very small duties, which, perhaps, you may say would be put against the freedom, and so on. My duties are really almost nominal. They are to preach one sermon on Sunday; therefore if any honourable Member should say, “We exonerate you from duties,” you are exonerating me from very little indeed, not more than I like, in fact.

The examination proceeded :—

Q. Would the performance of service every day prevent your taking any other duty?—*A.* I do not perform daily duty; I have to preach once on the Sunday.

Q. Having the Sunday duty to perform at Dulwich, would that prevent your being the incumbent of any other parish?—*A.* Undoubtedly.

Q. Who performs the daily duty?—*A.* The second and third fellows.

Q. The fourth fellow should be the Schoolmaster?—*A.* Yes; the fourth fellow is now the organist. Ever since the foundation of the College, in consequence of the non-appointment of six chanters, the fourth fellow has taken their place, and taught the boys music.

Q. Who teaches the boys in the school?—*A.* The second and third fellows.

Q. They never have done it, have they?—*A.* Yes; always, alternate weeks, ever since I have been there, and very many years before.

Q. Have the second and third fellows regularly attended the school?—*A.* Yes.

Q. How many hours per diem?—*A.* From nine to two at least. Then I think there comes the writing master. I think the schoolmaster generally considers that he has done teaching our twelve boys at two o'clock.

Q. How long did you say that you had been at the College?—*A.* Sixteen years.

Mr. Howes was also asked in his first examination—

Q. 32. Is the scheme of the Commissioners generally approved of by the parishioners and the inhabitants of Dulwich? and replied—You have asked me rather an awkward question: I should say, generally speaking, it is the case: but there are various differences of opinion as to matters of detail. I should however be justified in saying, speaking in general terms, that it is approved of.

Again, in the examination of Mr. Charles Druce, the steward and solicitor of the College, the witness was asked—

Q. 607. Do you thoroughly understand the plan now before the Committee?—*A.* I believe so.

Q. 608. Is it generally approved of?—*A.* I do not know what to say: A great number of people consider it is a large inroad on the intentions of the Founder without reference to the scheme itself. I do not know what is the general feeling of the master, warden and fellows of the College, but they must obey the voice of Parliament.

Q. 609. Do you generally agree in that opinion?—*A.* My opinion is that it is a very large departure from the will of the Founder.

Q. 610. Do you conceive it beneficial or otherwise?—*A.* Undoubtedly, I think it is a very great improvement on the present management.

Q. 611. Should you wish any alteration to be made?—*A.* Undoubtedly, as a member of the College.

Q. 612. Be kind enough to point them out.—*A.* What alterations?

Q. 613. In the scheme.—*A.* I have considered myself very much with the College, and they thought it their duty to abstain, in the peculiar position they were in, from expressing any opinion on the subject. They are most peculiarly placed.

It being thus clear that no one objected to the Bill *in toto*, the opposition resolved itself into an endeavour by the petitioning parties to obtain

better terms and further advantages for their respective constituents than the Bill as originally drafted gave them, and by the members of the College to secure their retiring allowances.

Mr. Joseph Briscoe, a ratepayer of St. Luke's for thirty or thirty-five years, who presented an independent petition from the ratepayers of that parish, handed in the following summary of proposed alterations in the Bill, as embracing all those suggested by them :—

1°. To select two governors from each of the parishes.

2°. To enlarge the proportions allotted to the eleemosynary branch of the charity, thereby to accomplish more fully the benevolent designs of the Founder.

3°. To omit the clauses in reference to the new church and the incumbent's residence, as not being needed for the purposes of the institution.

4°. To omit the whole arrangements for the upper school and boarding establishment, as being inapplicable to the needy circumstances of the scholars : and as soon as the educational funds will permit, to establish a superior day school in each of the parishes interested for clothing and educating of 100 of the orphans and other needy poor of the description set forth in the statutes of the Founder.

5°. To make a moderate provision for the maintenance of the destitute almspeople (or members) in the several parishes, to repair their houses when needful, and increase their number as soon as the funds will permit.

Mr. Briscoe was examined at great length in support of this petition. In his evidence he laid great stress on the seventh statute, which provides that the boys to be educated should be of the poorest. *Mr. Briscoe* said—" *M^r Alleyn* provided for the poorest, first of all, orphans " without representatives, without father or mother, helpless and destitute ; " and in the next place, for want of these, for those whose parents " received the weekly alms of the parish. It is evident that the poor were " contemplated here. *S^t Luke's* parish is a large and densely populated " parish, with just the very persons, by thousands, of that kind, who come " under the description that *M^r Alleyn* has given of the recipients of the " College ; and it grieves our minds when we see that the Bill proposes to " give the benefit of his bequest to persons of another class and of a " different description."

Next, he contended that the persons who would be benefited by the Bill as almspeople were not of the class contemplated by *Alleyn*. After quoting the words of statute 10, he said, " It means that those who are the " most indigent and have longest received the alms of the parish shall " have the benefit, but the Bill is quite the reverse of that. . . . Now " we feel aggrieved in our minds when we think that this Bill is carrying " the benefit of this very wealthy charity to another class of individuals."

He called attention to statute 113, ordering that the Master, Warden, and two of the Fellows should yearly in Easter week survey all the

lands and tenements belonging to the College, and see that they are duly repaired, and complained that the almshouses founded by Alleyn had never been so repaired by the College, and suggested that the eleemosynary branch should be extended so as to provide for the repair and enlargement of the existing almshouses.

After urging that two governors should be elected by each of the parishes instead of one provided by the Bill, he proceeded to object to the retiring allowances to the existing officers as too high. He said, "It has occurred to us it would be an economical mode to keep the services of the present officers till vacancies occurred, and when vacancies so occur, to appoint the new officers contemplated by the present Bill. It would save the salaries of all the new officers until these old ones went out of office. It is true that the improvements contemplated by this Bill are very extensive, but they are not likely to be done for a considerable time; it must be a work of progress. I think that many of the improvements may be carried out by the services of the present officers; and that will apply also to section 17, respecting the appointment of a new warden. While we have a warden in the establishment, it appears to us reasonable to save the salary that would be paid to the new warden, by retaining the services of the old one."

Mr. Briscoe dissented *in toto* from the scheme for the building of the new church, considering that the chapel furnished all the accommodation required. He added, "If at any future time Dulwich should increase in its population and require further church accommodation, it does not appear to us to be quite fair to call on the charity to supply that necessity, because Mr Alleyn, I think, contemplated the worship of the inmates of the College to be carried on within the College; he did not contemplate the inmates, namely the poor brethren, sisters and scholars, to go to any distant place of worship; but he contemplated that they should worship within the walls of his own establishment, and the chapel affords accommodation in the College for all who are likely to attend it for a considerable time. Up to the present time there has been ample accommodation for that number, and many of the inhabitants of Dulwich too; and if any further want should arise at any future time, it occurs to us it would hardly be fair to use the charity money; to take it away from these very poor people who ought to be recipients of it, and should have all the benefit of the charity. The new church will occasion a very heavy outlay, when you estimate the value of the ground, and the different sums that each of these objects will cost. The total will run away with the best part of £20,000. The value of the land must be something considerable, with the different approaches, inclosures and so on. The minimum of the building is £4000, and the maximum will be

“either £6000 or £7000. The minimum of the incumbent’s residence is “£1000, which will most likely reach £1500 or £1600 for aught I know, “in all probability, one way or another. It seems to us not fair to “appropriate the funds of the property for this purpose, and especially “to mortgage any of the property for this purpose seems to us most “unjustifiable.”

Mr. Briscoe next examined article 117 of the statutes, which he dissected with a view to show that the intention of the Founder was that the income of the College should be divided equally between the educational and the eleemosynary branches of the charity, instead of in the proportion of three-fourths and one-fourth as proposed by the Bill. He suggested that instead of the upper school and boarding establishment contemplated there should be only the lower school at Dulwich, where 100 boys should be clothed, maintained, and educated, at the entire expense of the charity; and that besides this school there should be in each of the three parishes of St. Luke’s, St. Botolph’s, and St. Saviour’s, a day school where 100 boys should be clothed and educated, and which would be preparatory to the Dulwich school, where the boys who made progress in their learning could be sent when vacancies occurred. Lastly, he urged that the number of almspeople should be at the first 36 instead of 24, on the ground that as the charity then paid £150 per annum to each of 12 recipients, it should at once pay 20s. a week, or say £50 per annum, to each of 36.

Mr. John Parson, the vestry clerk of St. Luke’s, who represented a committee of the vestry which had been appointed to watch the progress of the matter, with full authority to deal with it as they thought best for the interests of the parish, stated that he had attended the Charity Commissioners on all occasions, and that the scheme propounded by them met with the approbation of his committee, except as regards the number of governors to be elected. He added that the parishes of St. Botolph’s and St. Saviour’s concurred in that opinion, and that the parish of Camberwell went with them to just the same extent, but that not being assistants they did not combine in the petition. He objected, however, to the clauses authorizing the erection of a church and a clergyman’s residence, which were not contemplated by the Charity Commissioners’ scheme. On this point he said, “We were satisfied with the scheme of the Charity Commissioners for the “enlargement of the chapel; that was reasonable, and that it should be “rebuilt on the college ground when necessity requires it; but to erect a “large church &c., we object. Camberwell is a rich district, and if they “want further church accommodation they should be left to obtain it for “themselves.”

As to the scheme of Mr. Briscoe for the establishment of free day schools in the parishes, he said, “The objections are these: The Parish of

“ S^t Botolph is in the city of London, and I have no doubt you will remember that in the city of London there is a school of great value, called the City of London school. They say to us, We do not want such a school in our parish, we can send our boys to the City of London school. And the parish of S^t Saviours in like manner say, We have an exceeding good school in S^t Olave, Southwark, and besides that, there is the Newcomen school ; we do not therefore require a separate school. It is only therefore wanted for S^t Luke’s. Now finding those two parishes were against us upon that point of having local schools, and finding also, however desirable it might be for us, that it had not been provided for by the Founder, that is, any separate establishment from Dulwich, we thought it wise, an equivalent being given to us, which is provided for by the scheme, to abandon that, which, no doubt, would be a very desirable thing for the parish of S^t Luke’s to have. M^r Briscoe says, that £500 a year will maintain 100 boys ; no doubt it will at the national school, but we have several of them ; there is hardly a religious denomination in the parish but has a school : I daresay there are 6000 or 7000 boys educated at this time in the various schools in our parish ; we do not want another such school ; what we want is a school of a better sort, and our object would be to have a school something like the City of London School.”

Mr. Parson thought that the capitation fee would not act as a virtual exclusion. He would not select paupers from the parish to go to such a school. It had never been done, although such were the words of the Founder, such boys deriving little or no value from the education they received. He had known the child of a clergyman asked to be sent to Dulwich, and also the son of a deceased medical officer, and had no doubt that, if the schools were better arranged, applications would be made from most respectable tradesmen and decayed professional men to have their children sent there, just as is the case with the Blue Coat School.

He did not think that the children of the upper classes would be sent to school at Dulwich, but that the children of the middle classes would go into the upper school, and that boys educated at the national schools, who exhibited considerable talent, would be sent to the lower school, where by the scheme they would be eligible, if they manifested ability and talent, to be transferred from the lower to the upper school. Finally, he said, that with the exception of the church clauses, also the clause about the number of governors and the appointment of a Warden, which was introduced in the House of Lords, he conceived the scheme would be fraught with important public advantages to the three parishes.

Mr. Andrew Knox, a tradesman in Camberwell, urged upon the Committee that there was in that parish no means for any tradesman with a

family of boys to give them education without descending to national schools or cheap boarding schools, and objected to the clause which gave to the parishes of St. Luke's, St. Botolph's, and St. Saviour's twice as many foundation scholarships at the lower school as were allotted to St. Giles.

Mr. Herbert Sturmy, vestry clerk of St. Saviour's, thought that there was at the time ample provision for the education of the poor children of his parish and their clothing, and looking upon struggling tradesmen as much poorer than persons who receive relief, considered that the scheme as it then stood made a sufficient provision for the poor. He expressed objections to the retiring allowances to the members of the College as too high, but was of opinion that, with some modification, the scheme before the Committee was fraught with great benefit to his parish.

Mr. Thomas Hall, churchwarden of St. Botolph's, said that his parish was amply supplied with education for the lower classes, and that he was quite satisfied that the parish would be pleased and gratified with the scheme of the Commissioners, the point of the governing body being modified. He distinguished between the scheme and the present Bill, and said that the whole committee of the three parishes, with the exception of some few from St. Luke's, concurred in the scheme.

Mr. Robert Farmer, formerly one of the poor scholars, who with two others had presented a petition, was heard, and claimed that they had an interest under statute 82, which gives poor scholars a preference to fellowships if graduates, and to servants' places if not. He described the education given in his time under Mr. Johnson and Mr. Vane as very insufficient, the Master and Usher being but seldom present; though he admitted that to his own knowledge the education had very much improved since the time he was there.

Mr. Venables then addressed the Committee on behalf of the Society; and Mr. Charles Druce, the steward of the College, was examined. He produced the accounts and balance-sheets of the College. He explained the method of arriving at the dividend, which he stated had been a subject of special inquiry, and declared to be not otherwise than right whether convenient or not; and generally defended the management.

The result of the Committee's deliberation was practically to restore the Bill to the shape it originally bore when introduced by the Charity Commissioners, with but few alterations. The number of governors was increased to nineteen, and two were allotted to each of the four parishes, thus ceding one of the points urged by Mr. Briscoe, and the main contention of the committee of the united vestries.

A proposal to restrict the governors to members of the Church of England was defeated by eight votes to three; and several amendments intended to vest the nomination of the non-elective governors in the

Committee of Council on Education, in the Poor Law Board, and in the Archbishop of Canterbury, were considered. The result was that the Committee decided that the president and vice-president of the Committee of Council on Education for the time being and the president of the Poor Law Board for the time being should be three of the non-elective governors; and that of the remainder three should be appointed by the Archbishop of Canterbury, and the rest by the Court of Chancery. The House, however, restored the clause to its original form, giving the whole of the nominations to the Court of Chancery.

The Committee also reduced the pension of the Master from £1015 to £760, but did not interfere with the other pensions. This amendment was also rejected by the House, the amount of the pensions being finally settled according to the original scheme.

The clauses relating to the appointment of a Warden, which had been introduced by the House of Lords, were unanimously negatived, as were also the paragraphs relating to the proposed new church.

The clauses which provided for the establishment of a boarding-school were negatived, though that providing for the admission of day-boarders was retained; and the power allowed to the head master and second master to receive private boarders, which was in the scheme, but removed by the House of Lords, was also disallowed by a vote of five to four.

An attempt was made to restrict the foundation scholarships to pauper children, but this was defeated by six votes to three.

The Bill amended as above mentioned received the Royal assent on the 25th August 1857; and on the 31st December in that year "the corporation of the Master, Warden, four fellows, six poor brethren, six poor sisters, and twelve poor scholars of the College of God's Gift in "Dulwich," which had existed since the 13th September 1619, was dissolved.

The moneys in the hands of the Warden on the general account at the date of the dissolution amounted to £12,294. 16s. 6d. Of this, £294. 16s. 6d. was transferred to the building fund, leaving £12,000; and the Master, Warden, and Fellows received the amounts due to them for the proportion of the year from the 4th March to the 31st December 1857, on the hypothesis of a dividend of £12,000. This amounted to £1872. 17s. 1d., leaving a balance of £10,127. 2s. 11d. Of this, £5699. 13s. was represented by £5200. 1s. 3d. consols, and £2000 new 3 per cents., then worth about £7000; the cash balance £4427. 9s. 11d., together with £1125. 10s. 9d. belonging to the building fund, and £164. 8s., the remainder of the poor brethren and sisters' last

dividend, making a total of £5717. 8s. 8d., was handed to the new governors.*

Thus quietly disappeared the old Foundation of Edward Alleyn; an institution which he had raised with such care, and hedged about with so many regulations, in the hope, as he so often says, that it would last "for ever." This hope might not have been disappointed had the Master, Warden, and Fellows, especially in later times, realized the necessity to reform themselves from within; but, with the exception of the miserable Grammar School built under pressure in 1842, nothing of the sort was attempted. Yet, many of the Corporation were able and zealous men, willing to do their duty, had they not been hampered by the *vis inertiae* of their older colleagues, who invented customs in order to give themselves as much leisure as possible.

As an example may be cited the absurd method of changing week by week the teachers of the scholars, a plan which, no doubt, gave the school-master and usher or second and third Fellows plenty of holidays, but certainly was so obvious a departure from their plain duty, that at last the former scholars raised their voices loudly against the whole system, and largely helped to hasten the change which now took place.

Enforced celibacy also caused the younger men to look upon their places in the College as mere stepping-stones to something better, and so induced a more ready acquiescence in the lazy habits of the place.

But it may be fairly asserted that if the pious Founder could come to life again now, his kind heart would rejoice greatly to see the present schools and playing fields at Dulwich, with their thousand or more boys enjoying the fruits of his bounty, even though his statutes and ordinances are set at naught.

* With money received by the old Corporation for land taken by the Crystal Palace, the Knight's Hill property, 59 a. 2 r. 20 p., was purchased in 1859 for £13,000 from the devisees of Mr. Charles Ranken. This was part of the estate of Lord Thurlow (died 1806), and was bought from his heirs by Mr. Ranken in 1846. From exchange, sales to railways, etc., the area of this property is now 52 a. 2 r. 27 p.

CHAPTER XVI.

THE SOCIAL ASPECT OF DULWICH COLLEGE.

In this chapter will be found (1) a list of all the Masters, Wardens, and Fellows from the foundation to 1857, with dates of their academical degrees where known; (2) a description of the mode of electing the members; (3) some particulars as to the habits and customs of the College; (4) a notice of sundry charities connected with the College and hamlet. Some few particulars have been already given, but are repeated here to render the account complete.

A LIST OF THE MASTERS AND WARDENS OF DULWICH COLLEGE, 1619-1857.

MASTERS.				WARDENS.			
Elected.				Elected.			
1619. Sept. 13. Thomas Alleyn.	Died	27 Mch. 1631.	1619. Sept. 13. Matthias Alleyn.	Became Master	28 Mch. 1631.		
1631. Mch. 28. Matthias Alleyn.*	Died	9 April 1642.	1631. April 29. Thomas Alleyn.	Became Master	9 April 1642.		
1642. April 15. Thomas Alleyn.	Died	15 Mch. 1668.	1642. May 16. Ralph Alleyn.	Became Master	15 Mch. 1668.		
1668. Mch. 15. Ralph Alleyn.*	Died	24 Jan. 1677.	1668. April 5. John Alleyn,				
			D.C.L.	Became Master	25 Jan. 1677.		
1677. Jan. 25. John Alleyn,			1677. Feb. 11. Elias Alleyn.	Election voided	17 June 1680.		
D.C.L.*	Died	25 Mch. 1686.					
1686. Mch. 25. Richard Alleyn.*	Died	28 June 1690.	1680. July 5. Richard Alleyn.	Became Master	25 Mch. 1686.		
1690. June 28. John Alleyn.*	Died	4 May 1712.	1686. April 12. John Alleyn.	Became Master	28 June 1690.		
1712. May 5. Thomas Alleyn.*	Died	2 Sept. 1721.	1690. July 20. Thomas Alleyn.	Became Master	5 May 1712.		
1721. Sept. 3. James Allen.*†	Died	28 Oct. 1746.	1712. May 26. James Alleyn.†	Became Master	3 Sept. 1721.		
			1721. Oct. 1. William Allen.	Died	27 Oct. 1723.		
			1723. Nov. 18. John Allen.*	Died	5 July 1731.		
			1731. July 26. William Allen.	Died	8 May 1735.		
			1735. May 26. Thomas Allen.	Resigned	11 Oct. 1740.		
			1740. Nov. 26. Henry Allen.*	Died	8 Feb. 1745.		
			1745. Feb. 25. Joseph Allen.	Became Master	28 Oct. 1746.		
1746. Oct. 28. Joseph Allen.	Resigned	21 June 1775.	1746. Nov. 17. James Allen.	Died	24 June 1752.		
			1752. July 13. Thomas Allen.	Became Master	21 June 1775.		
1775. June 21. Thomas Allen.	Died	20 July 1805.	1775. July 10. William Allen.	Became Master	20 July 1805.		
1805. July 20. William Allen.	Died	13 April 1811.	1805. Aug. 5. Lancelot Baugh				
			Allen.	Became Master	14 April 1811.		
1811. April 14. Lancelot Baugh			1811. April 29. John Allen.†	Became Master	5 May 1820.		
Allen.	Resigned	5 May 1820.					
1820. May 5. John Allen.†	Died	10 April 1843.	1820. May 22. Jeffrys Thomas				
			Allen.	Died	27 Dec. 1841.		
			1842. Jan. 17. George John Allen.	Became Master	10 April 1843.		
1843. April 11. George John Allen.			1843. May 1. John Gay Newton				
			Alleyn.	Resigned	10 Mch. 1851.		
			1851. Mch. 31. Richard William				
			Allen.				

* Buried in the vaults of the College Chapel.

† James Alleyn signed his name so whilst Warden; but after his succession to the Mastership he dropped the "y," and signed "James Allen." The Wardens and Masters thereafter all signed themselves "Allen," except John G. Newton Alleyn, Warden, 1843-51.

‡ For notice of John Allen see vol. ii.

A LIST OF THE FELLOWS OF

With Dates of the Elections and Vacations of their Fellowships, and

PREACHERS.			SCHOOLMASTERS.		
Elected.			Elected.		
1616. Aug. 31.	Cornelius Lymer.	Left 30 Sept. 1617.	1617. June 20.	Edward Young.	Left 29 Sept. 1618.
1618. Sept. 29.	Samuel Wilson.	Left 28 Sept. 1620.	1618. Sept. 29.	John Harrison.	Left 28 Sept. 1620.
1620. Sept. 28.	Robert Vance.	Left 24 Dec. 1621.	1620. Sept. 28.	Martin Symonds.	Left 28 Sept. 1623.
1621. Dec. 24.	John Gifford.	Left 28 Sept. 1623.			
1623. Sept. 31.	William George.	Left 1 July 1624.	1624. Mch. 25.	Matthew Sweetser.	Left 7 Feb. 1627.
1626. Aug. 25.	Joseph Reding.	Left 4 May 1628.	1627. Mch. 18.	Charles Faldo.	Left 19 Feb. 1630.
1628. Sept.	Robert Wells.	Expelled 1 Nov. 1629.			
1629. Dec. 10.	Matthias Turner.		1630. Feb. 19.	John Viell.	Left 21 April 1631.
1630. June 18.	John Blemell.	Left 15 May 1632.	1631. May 9.	Thomas Frith.	Left 7 Nov. 1632.
1632. June 25.	David Fletcher.	Left 12 Aug. 1634.	1632. Nov. 7.	Samuel Porter.	
1635. Jan. 30.	Simon Mace.	Expelled 30 May 1639.	1638. Oct. 4.	William Jones.	Left 4 May 1644.
1639. July 11.	Francis Hooke.	Left 3 May 1644.	1644. June 1.	James Mead.	Left 18 Oct. 1645.
1644. June 1.	John Croft.	Left 23 June 1645.	1645. Aug. 13.	Edmund Colby.	
(By virtue of an order from the Committee for Plundered Ministers.)			1658. Mch. 25.	John Bradford.	
1645. Aug. 2.	Stephen Street.	Left 19 Mch. 1646.			
(By virtue of orders from the Committee for Plundered Ministers.)					
1658. Mch. 25.	William Carter.	Resigned 11 May 1670.			
	John Harrison.	Left 26 Dec. 1660.			
1661. Jan. 1.	Henry Byarde.	Resigned 14 Apl. 1665.	1661. Feb. 21.	John Michaelson.	Left 8 July 1662.
			1662. July 28.	Saml. Atwood.	Resigned 26 Jan. 1663.
			1663. Feb. 20.	Francis Brockett. ¹	Died 16 Sept. 1680.
1670. June 20.	George Alleyn.	Resigned 1 Nov. 1670.			
1672. May 16.	Robert Bond. ⁴	Resigned 31 May 1677.			
1677. July 5.	James Alleyn.	Resigned 11 Feb. 1679.			
1679. May 22.	Joseph Church. ⁵	Resigned 5 Mch. 1680.			
1680. April 24.	John Mawde. ⁶	Resigned 1 June 1686.	1681. July 14.	John Blackburne.*	Buried 19 Sept. 1682.
1689. June 1.	Benjm. Bynes. ⁸	Expelled 15 July 1690.	1682. Oct. 26.	William Lux. ⁷	Resigned 1 Mch. 1690.
1690. Aug. 21.	Richard Prichard. ⁹	Expelled 23 Jan. 1696.	1690. Mch. 20.	Alexr. Alcock.	Resigned 26 Sept. 1691.
			1691. Nov. 5.	Thos. Baker. ¹⁰	Promoted 1696.

* Buried in the vaults in the College Chapel.

¹ Francis Brockett, Queen's Coll., Cambridge, B.A. 1661, M.A. 1665.² John Harper, St. John's Coll., Cambridge, M.A. 1662.³ First marriage in the College Chapel.⁴ Robt. Bond, admitted by Archbishop Sheldon's letters, Trin. Coll., Cambridge, B.A. 1664, M.A. 1668.⁵ Joseph Church, Catherine Hall, Cambridge, B.A. 1673, M.A. 1677.

DULWICH COLLEGE, 1616-1857,

Notes as to their Degrees at the Universities of Oxford and Cambridge.

USHERS.		ORGANISTS.	
Elected.		Elected.	
1617. Dec. 20. John Harrison.	Promoted 29 Sept. 1618.		
1618. Sept. 29. Martin Symonds.	Promoted 28 Sept. 1620.	1618. Mch. 26. Thomas Hopkins.	Left Sept. 1622.
1620. Sept. 28. Peter Symonds.	Left 24 Dec. 1621.		
1621. Dec. 24. Christopher Reuthen.	Left 28 Sept. 1623.		
		1622. Sept. 23. Benjn. Cosyas.	Left 16 June 1624.
		1625. Jan. 17. Walter Gibbs.	Left 3 May 1626.
1626. Feb. 22. Charles Faldo.	Promoted 18 Mch. 1627.	1626. Nov. 8. Henry Dell.	Left 3 Sept. 1627.
1627. Mch. 18. Thomas Dickinson.	Died 1628.	1627. Sept. 1. John Silver.	Left 26 Mch. 1631.
1628. April. John Viell.	Promoted 19 Feb. 1630.		
1630. Feb. 19. Thos. Blemell.			
1631. July 30. Samuel Porter.	Promoted 7 Nov. 1632.	1631. Sept. 24. John Alleyn. ²	Resigned 7 Oct. Married 9 Oct. 1634.
1632. Nov. 7. William Sutton.		1634. Dec. 31. William Holmes.	Left 17 July 1643.
1639. May 17. Cadwalader Roberts.	} Expelled for absence 4 Mch. 1643.		
1643. Mch. 28. James Mead.			
	Promoted 1 June 1644.		
1658. Mch. 25. Henry Tilley.	Left 27 Dec. 1659.		
1659. Dec. 27. John Michaelson.	Promoted 21 Feb. 1661.		
1661. Jan. 16. Thomas Peere.	Resigned 21 Feb. 1661.		
1661. Feb. 21. Samuel Paddy.	Left 17 May 1662.		
1662. July 28. Francis Brockett. ¹	Promoted 20 Feb. 1663.		
1663. Feb. 20. John Harper. ²	Resigned 26 Mch. 1666.		
1666. July 7. Roger Bailly.	Resigned 25 Mch. 1667.		
1668. Mch. 2. William Usborn.*	Died 23 Aug. 1677.		
		1669. Oct. 25. Francis Forcer. ¹¹	Resigned 26 Nov. 1671.
		1671. Oct. 21. Albertus Bryne. ¹²	Resigned 7 Sept. 1674.
		1676. June 24. Samuel Pierson. ¹³	Resigned 15 Aug. 1677.
1677. Oct. 2. John Blackstone.	Resigned 16 May 1690.	1678. May 1. Charles Garraway.	Expelled 23 Jan. 1696.
1690. July 15. Jacob Lewis.			

⁶ John Mawde, Sidney Sussex Coll., Cambridge, B.A. 1686.⁷ William Lux, Balliol Coll., Oxford, B.A. 1678, M.A. 1682.⁸ Benjm. Bynes, a poor scholar sent to Cambridge, Queen's Coll., B.A. 1679, M.A. 1683.⁹ Richard Prichard, Jesus Coll., Oxford, B.A. 1680, M.A. 1683.¹⁰ Thos. Baker, Trin. Coll., Cambridge, B.A. 1681, M.A. 1696.¹¹ Francis Forcer, admitted by Archbishop Sheldon's letters.¹² Albertus Bryne, admitted by Archbishop Sheldon's letters.¹³ Samuel Pierson, admitted by Archbishop Sheldon's letters.

A LIST OF THE FELLOWS OF DULWICH COLLEGE—*continued*.

PREACHERS.			SCHOOLMASTERS.		
Elected.			Elected.		
1696.	Thomas Baker. ¹	Resigned 1 April 1701. (Removed by Visitor's letters.)	1696.	John Rhodes.* ³	Died 19 Dec. 1701.
1701. Dec. 3.	Job Brockett.* ¹⁰	Died 2 Jan. 1705.	1702. Jan. 21.	Joseph Billington. ⁵	Promoted 3 Aug. 1706.
1706. Aug. 3.	Joseph Billington. ⁵	Died 1724.	1706. Oct. 6.	James Hume.†	Resigned 3 July 1730.
1724. Mch. 10.	Robert Bolton. ⁹	Resigned 1 May 1725.			
1725. June 4.	Richard Done. ¹¹	Resigned 25 June 1733.	1730. July 25.	John Hilary. ⁸	Promoted 11 July 1741.
1733. Aug. 2.	Richard King. ¹³	Resigned 2 April 1738. (Married in Chapel, June 20, 1738.)			
1738. April 28.	George Thorpe. ¹⁴	Died 7 June 1741.	1741. Aug. 14.	Thos. Gregory.	Resigned 9 April 1752.
1741. July 11.	John Hilary.* ⁸	Died 18 Mch. 1766.	1752. April 21.	William Swanne.* ¹⁹	Promoted 18 Mch. 1766.
1766 Mch. 23.	Wm. Swanne.* ¹⁹	Died 21 Feb. 1785.	1766. May 5.	Wm. Higgs Barker.	Resigned 23 Sept. 1767.
			1767. Oct. 26.	Thos. Williams.	Died 14 Oct. 1781.
			1781. Nov. 5.	Nevile Stow. ²⁴	Died 17 Feb. 1810.
1785. Mch. 25.	Thos. Jenyns Smith.* ²³	Died 11 June 1830.	1810. Mch. 23.	Peter Julian. ³⁰	Died 14 Aug. 1812.
			1812. Sept. 4.	Robert Corry. ²⁹	Resigned 30 Nov. 1813.
			1814. Jan. 8.	Edw. Benj. John- son. ³¹	Resigned 5 Mch. 1818.

* Buried in the vaults of the College Chapel.

† For notice of the Rev. James Hume, see vol. ii.

¹ Thos. Baker, Trin. Coll., Cambridge, B.A. 1681, M.A. 1696.² Thos. Oliver, Christ's Coll., Cambridge, B.A. 1686.³ John Rhodes, St. John's Coll., Oxford, B.C.L. 1670, admitted by Archbishop Sancroft's letters.⁴ John Dacie, admitted by Archbishop Tillotson's letters, Pembroke Coll., Cambridge, B.A. 1661, M.A. 1665.⁵ Joseph Billington, admitted by Archbishop Tenison's letters, Christ's Coll., Cambridge, B.A. 1697, M.A. 1706.⁶ Rupert Sawyer, admitted by Archbishop Tenison's letters, St. John's Coll., Cambridge, B.A. 1701.⁷ John Beresford, Sidney Sussex Coll., Cambridge, B.A. 1700.⁸ John Hilary, Trinity Coll., Cambridge, B.A. 1710, M.A. 1741.⁹ Robert Bolton, Wadham Coll., Oxford, B.A. 1715, M.A. 1718.¹⁰ Job Brockett, admitted by Archbishop's order, bequeathed books to the College library (see MSS. VI. 44).¹¹ Richard Done, Lincoln Coll., Oxford, B.A. 1717; New Coll., M.A. 1720.¹² Richard Hart, Queen's Coll., Oxford, B.A. 1720; admitted by Archbishop Wake's letters.¹³ Richard King, St. John's Coll., Oxford, B.A. 1727, M.A. 1731.¹⁴ George Thorpe, Queen's Coll., Cambridge, B.A. 1729, M.A. 1733.¹⁵ William Tutty, Emmanuel Coll., Cambridge, B.A. 1736, M.A. 1741.¹⁶ Thos. Waterhouse, New College, Oxford, B.A. 1742.

A LIST OF THE FELLOWS OF DULWICH COLLEGE—*continued.*

USHERS.			ORGANISTS.		
Elected.			Elected.		
1692. Sept. 2.	Thos. Oliver.* ²	Died 28 Sept. 1692.	John Reading,	"organist above 2 years, yet never admitted!"	
1692. Dec. 13.	John Rhodes. ³	Promoted 1696.			
1697. Mch. 16.	John Dacie. ⁴				
1702. Mch. 11.	Rupert Sawyer.* ⁶	Buried 24 May 1705.	1698. James Henstringe.		
1709. Mch. 25.	John Beresford. ⁷	(Not in register 1712.)	1703. Mch. 11.	William Howell.	Died 11 Oct. 1713.
1714. Mch. 4.	John Hilary. ⁸	Promoted 25 July 1730.	1714. Mch. 4.	Thos. Clark.	
			1715. Nov. 9.	Thos. Powell.*	Died 19 Sept. 1727.
			1727. Oct. 28.	David Cheriton.	Resigned 3 Dec. 1731.
1730. Aug. 28.	— Rushworth.	(Declined the Oath.)	1731. Dec. 20.	Saml. Tanfield	
1731. July 24.	Richd. Hart.* ¹³	Died 12 Jan. 1740.		Hawkes.*	Died 18 Dec. 1762.
1740. Feb. 2.	William Tutty. ¹⁵	Resigned 18 May 1744.			
1744. June 28.	Thos. Water-				
	house. ¹⁶	Resigned 25 June 1751.			
1751. Aug. 2.	John Taylor				
	Lamb. ¹⁷	Resigned 16 Sept. 1751.			
1751. Oct. 22.	George Baker. ¹⁸	Resigned 29 May 1762.			
1762. July 5.	Peter James. ²⁰	Resigned 6 April 1763.			
1763. May 17.	John Wilder.	Resigned 16 Dec. 1765.	1763. Jan. 10.	Richd. Randall.	Resigned 2 April 1782.
1766. Jan. 16.	Hugh Panton. ²¹	Resigned 20 Nov. 1766.			
1766. Dec. 31.	Richd. Taylor. ²²	Resigned 24 April 1774.			
1774. May 15.	Mark Holberry.	(Never admitted.)			
1774. May 30.	Nicholas Layton. ²³	Resigned 1 Dec. 1776.			
1777. Jan. 9.	Nevile Stow. ²⁴	Promoted 5 Nov. 1781.			
1781. Dec. 14.	Hugh Panton. ²¹	Resigned 15 Jan. 1783.	1782. May 13.	Richd. Dowell.*	Died 25 Mch. 1816.
1783. Feb. 19.	Thos. Jenyns				
	Smith.* ²⁵	Promoted 25 Mch. 1785.			
1785. April 29.	John Newell Pud-				
	dicombe. ²⁶	Resigned 29 Mch. 1797.			
1797. May 3.	Richd. Marshall. ²⁷	Resigned 7 April 1804.			
1804. May 7.	Chas. Brent				
	Barry. ²⁸	Resigned 15 April 1806.			
1806. April 28.	Robert Corry. ²⁹	Promoted 4 Sept. 1812.			
1812. Sept. 4.	Edw. Benj. John-				
	son. ³¹	Promoted 8 Jan. 1814.			
1814. Jan. 8.	Robt. Henry				
	Auber. ³²	Resigned 24 Jan. 1814.			

¹⁷ John Taylor Lamb, St. John's Coll., Cambridge, B.A. 1749.

¹⁸ George Baker, Wadham Coll., Oxford, B.A. 1737.

¹⁹ William Swanne, formerly a poor scholar admitted without lot, Christ Church Coll., Oxford, B.A. 1751, M.A. 1757.

²⁰ Peter James, St. Peter's Coll., Cambridge, B.A. 1759, M.A. 1766.

²¹ Hugh Panton, St. John's Coll., Cambridge, LL.B. 1765.

²² Richard Taylor, Magdalen Coll., Oxford, B.A. 1765, M.A. 1767.

²³ Nicholas Layton, Balliol Coll., Oxford, B.A. 1768, M.A. 1772.

²⁴ Nevile Stow, Trin. Coll., Cambridge, B.A. 1759, M.A. 1766.

²⁵ Thos. Jenyns Smith, Brasenose Coll., Oxford, B.A. 1780, M.A. 1782.

²⁶ John Newell Puddicombe, Pembroke Coll., Cambridge, B.A. 1778, M.A. 1781.

²⁷ Richard Marshall, St. Alban's Hall, Oxford, B.A. 1796.

²⁸ Chas. Brent Barry, Christ Church Coll., Oxford, B.A. 1791.

²⁹ Robert Corry, Brasenose Coll., Oxford, B.A. 1791, M.A. 1794.

³⁰ Peter Julian, Jesus Coll., Oxford, B.A. 1790, M.A. 1792.

³¹ Edwd. Benj. Johnson, Oriel Coll., Oxford, B.A. 1798, M.A. 1800.

³² Robt. Henry Auber, Pembroke Coll., Cambridge, B.A. 1796.

A LIST OF THE FELLOWS OF DULWICH COLLEGE—*continued*.

PREACHERS.		SCHOOLMASTERS.	
Elected.		Elected.	
1830. July 7. John Image. ⁴	Resigned 24 Mch. 1841.	1818. Mch. 18. John Vane. ³	Resigned 1848.
1841. April 8. Charles Howes. ⁵		1848. Aug. 10. William Fellowes. ⁶	

¹ John Lindsay, B.A., Trinity Coll., Dublin, admitted *ad eundem* at Sidney Sussex Coll., Cambridge, 1811, M.A. 1812. Instituted Vicar of Stanford-on-Avon, 1818 (patroness, Baroness Braye); also Vicar of Swinford, Leicestershire, in the same year, under the same patronage. He remained Vicar until 1875.

² Ozias Thurston Linley, Corpus Christi Coll., Oxford, B.A. 1789. See account of him in vol. ii.

³ John Vane was an acknowledged natural son of the Marquis of Londonderry. He was admitted B.A. of Trin. Coll., Cambridge, 1814; became fellow of Magdalene College and M.A. 1817. He was instituted in 1828 to the rectory of Wrington, Somersetshire, in the patronage of the Duke of Cleveland; value, £660 and house; population, 1620. He was Preacher at the Rolls, Chaplain and Deputy Clerk of the

Closet to the Queen. He remained rector of Wrington until 1871.

⁴ John Image, of Caius Coll., Cambridge, B.A. 1824, M.A. 1827. After his resignation in 1841, he was admitted Vicar of Bodiam, near Robertsbridge, Sussex, under the patronage of Lady E. Thomas; value, £280; population, 439. In the clergy list of 1844 he himself appears as patron; and in that of 1850 the patron is L. T. Cubitt, Esq. He remained Vicar of Bodiam until 1851.

⁵ Robert George Suckling Browne, St. John's College, Cambridge, B.D. 1827; married, 1836, a daughter of Chas. Druce, the solicitor to the College. He appears in the clergy list of 1841 as of Atwick, Bridlington, Yorkshire, without cure; but in 1849 he was admitted vicar of that parish; patron, the

ELECTIONS.—The statutes regarding the election of the Warden seem to have been carefully observed. A formal notice of the vacancy was duly sent to the three interested parishes, and in later days an advertisement was sometimes also inserted in some of the London daily papers (*e.g.* in the *Times* and *Chronicle* of the 26th July 1805).

On the occasion of the election on the 1st May 1843, the arrangements were as follows, as evidenced by a paper in the handwriting of Mr. Druce, the steward and solicitor:—

IN THE CHAPEL.

The Side Door not to be opened.
No Person to be admitted in the Chapel above the Master's Pew.
The Master & Fellows sit in their own Pews.
The Assistants in the Pews on the right of the Altar.
The Candidates on the left.

THE PRAYERS AND A SERMON.

The Master and Senior Fellow and the Rev^d. J. Vane go within the Rails of the Altar.

Any Assistant who may not have been sworn, is then sworn and admitted, standing before the Altar.

A LIST OF THE FELLOWS OF DULWICH COLLEGE—*continued*.

USHERS.

Elected.
 1814. July 25. John Lindsay.¹ Resigned June 1834.
 1834. June 27. Robt. G. S. Brownne.⁵ Resigned 1836.
 1836. Oct. 27. John Eddy. Resigned 3 Nov. 1836.
 1836. Nov. 4. Wm. Lucas Chafy.⁷

ORGANISTS.

Elected.
 1816. May 5. Ozias Thurston Linley.*² Died 6 Mch. 1831.
 1831. April 15. Robt. Geo. Suckling Brownne.⁵ Promoted 17 June 1834.
 1834. July 25. Edwd. Aug. Giraud.⁶

* Buried in the vaults of the College Chapel.

Lord Chancellor; value, £149; population, 300. He remained vicar until 1867.

⁶ Edward Augustus Giraud, St. John's Coll., Cambridge, B.A. 1822, M.A. 1825. He was granted an annuity of £466 per annum by the Dulwich College Act of 1857, and was instituted, 1856, Rector of Stanningfield, Bury St. Edmund's; patron, G. I. Rokewood, Esq.; value, £395; population, 320. He remained rector until his death in 1873.

⁷ William Lucas Chafy, Sidney Sussex Coll., Cambridge, B.A. 1829, M.A. 1832, was one of the Fellows at the disestablishment of the College in 1857, and received a pension of £466 per annum. He resided at Bath without preferment until he died in January 1878. His father was Master of Sidney Sussex Coll. 1813-1843.

⁸ Charles Howes, Trin. Hall, Cambridge, B.A. 1835, Fellow of Clare Hall 1835, M.A. 1838, was the son of a minor canon of Norwich. He was curate of Fordham, Cambridgeshire, when elected Fellow of Dulwich College. He received a pension of £500 per annum in 1857, and afterwards resided at the Close, Norwich, without preferment, until his death in September 1880.

⁹ William Fellowes, St. John's Coll., Cambridge, B.A. 1845, M.A. 1848. He was curate of Mantby from 1845 to 1848, when he was elected Fellow of Dulwich College. At its dissolution he received a pension of £500 per annum. He became curate of Swainsthorpe, dio. Norwich, in 1861, and held that curacy until 1865. Since then he has resided at Mangreen Hall, Norwich, without cure.

In that case the Senior Fellow reads

Statute 41. Assistants duty, and

Statute 28. The Oath,

when the Assistant resumes his place.

The Senior Fellow then Reads

Statute 1. Establishment of the College.

3 & 4. Qualification of Warden.

15 & 16. Manner of Election.

12. Drawing Lots.

Part of Injunction of 11 March 1819, as to Security.

Then each Elector is called by M^r Druce to come & vote. The Master takes their votes.

Viz^t. The Churchwardens of S^t Lukes.

S^t Saviours.

S^t Botolph, Bishopsgate.

Rev^d M^r Giraud.

Rev^d M^r Chafy.

Rev^d M^r Vane.

Rev^d M^r Howes.

The Master then votes himself.

If the number of votes for any Candidate be equal the Master gives a Casting vote.

As each Assistant votes he retires to his seat.

The Fellows remain within the Altar.

The Master advances to the Rail and declares on whom the election has fallen.

The Candidates elected come to the Rail of the Communion Table.

The Master opens the Balloting Box and submits the Rolls of Paper to the Assistants.

The Master shakes the Box three times up and down and then opens it.

The Master holds the Box above the Heads of the two candidates.

The elder draws the first Lot.

The Master then declares publicly on whom the Lot of God's Gift has fallen.

The voting paper was in tabular form, with the name of each candidate at the top of a column. The voters' names were at the side of the paper, beginning with the six assistants, followed by the Fellows according to seniority, the junior coming first. The last to vote was the Master. These votes are recorded by a stroke of the pen given openly by each voter. The two candidates with the largest number of votes were then solemnly submitted to the ordeal of the "Lot," as described above.

That this modern election was not held in an essentially different manner to those of times much anterior, is shown by the following record of an election in 1723, extracted from the weekly account book of that period :—

William Alleyn, Warden, dyed Sunday 27th of October 1723. The proclamation was made on Sunday the 3rd of Nov^r 1723. And the election was on Munday the 18th of Nov^r as follows. After service and sermon, all the electors went out of the Chappel into the parlor: and called all the candidates in before them, one by one; and each of them wrote down their own names; then all returned into the Chappel: and a list of the Candidates names was laid on the table at the altar; and M^r Durnford and M^r Hanwell were appointed by the M^r. to see that each Elector scratched for two persons. First the Churchwardens of Cripplegate scratched, then Southwarke, then Bishopsgate, then the Organist, the Usher, the School Master, the Preacher, and last of all the Master. And the number of votes or scratches were as follows :—

7. George Alleyn brother to S ^r Clopton	.	.	.	|||||	7
7. John Alleyn of Holborn Distiller	.	.	.	|||||	7
4. Robert Alleyn brother to the late Warden	.	.	.	||||	4
4. Charles Alleyn Clerk to Innholders Hall	.	.	.	||||	4
0. John Alleyn of London Woollen draper	.	.	.		
0. W ^m . Alleyn of Cornhill Upholder	.	.	.		

George was born in Feb. 1687 and John in June 1688 so George drew first and drew the Blank Lott, so John was Warden and George rec^d. 1^l. 17. 11. which he gave amongst the old people, boys and servants: he did the same at last election.

The particulars of the earlier elections are no longer extant, but from those of the last and present century it appears that the College party in every case until 1851 (of which more hereafter) succeeded in putting their two candidates at the top of the poll. On some occasions only five assistants recorded their votes (e.g. in 1820, when Mr. George Heath from

St. Botolph's abstained). Whether this was by accident or "arranged" it is impossible now to say, but of course with the College party voting compactly, as they almost always did (they did not in 1775), and the Master having a casting or second vote, the decision could be forecast in the College with certainty.

When all the six assistants did exercise their full rights they invariably split their votes (except in 1851); sometimes, as in 1805, because there was a candidate from St. Luke's and another from Bishopsgate, for each of whom the respective assistants of these parishes voted. On other occasions the splitting of the parochial votes seems almost like a random throwing away of their power.

As the qualifications required in a Warden beyond the name of Allen, Alleyn, or Alleyne, and being unmarried, were only those of "respect-ability," it was natural that the candidates should represent all grades of society.

In 1731 there competed, a dyer, a carrier, a carpenter, a grocer, a peruke maker, a weaver, a doctor, two curates, and a captain. The grocer and the captain drew lots, and the former, William Allen, was elected.

In 1745 the candidates were a timber merchant, a founder, a vintner, a linen merchant, and a surgeon, when the surgeon, Joseph Allen, was successful.

In 1746 there were two schoolmasters, a hosier, a malt factor, "August Allen" 3rd Troop of Horse, and again a peruke maker and a linen draper. In this case John Allen, the "founder," who was a candidate on the previous occasion, drew lots with James Allen, the malt factor, who was the successful candidate.

In 1752, besides the trades previously mentioned, there were a cooper and a staymaker. The same John Allen, who was a candidate at the two last elections and lost the lot each time, again unsuccessfully drew lots, Thomas Allen, a linen draper, being elected.

In 1775 the candidates included a grandson of a former Warden, a "Gentleman Usher to the Queen," and an attorney at law, but William Allen, "of Lord Dartmouth's office," was successful.

It will have been observed that frequent troubles arose in the College from the three senior Fellows, who were graduates, affecting to despise the Master and Warden as their social inferiors. A somewhat ludicrous order on this matter was made by Archbishop Sheldon in 1667, viz. that the Master and Warden should wear about their necks, over their gowns, a "long tippet of Taffaty or Sarcenett and also when they come to Chappel "in their surplices they shall wear such a Tippet as aforesaid over their "surplices."

On the whole, however, the records of the College show that the

Masters and Wardens, although not "graduates or divines," were able to rule fairly well.

In accordance with statute 19, "a dynner" was always provided at these elections, the expense of which was borne by the newly elected Warden.

The first extant account of these banquets is on the occasion of the election of Elias Alleyn, on the 11th February 1677/8, when he paid to the caterer

to y ^e buttery for bread & beere	£3 9 10, and
	4 3
or in all	<u>£3 14 1</u>

In later times the "menu," and sometimes the cost, is given. In 1731, when William Allen (grocer) was elected, there were provided—

Two Hams, 2 dishes of Boyld Fowls w th Cabbage, Carrotts, french beans & artichoak	02 04 00
2 Veneson Pastys	02 02 00
a large S ^t Loyn of Beef	00 15 00
3 Dishes of Turkeys Larded & Ducks	01 04 00
2 Codlin Tarts Creamed	00 12 00
2 Geese, grave & apple sauce	00 10 00
2 Marrow pudins	00 12 00
3 Dishes of Fruite	00 18 00
2 Dishes of Lobsters	00 12 00
2 Dishes of Custards & florentines	00 10 00
4 plates of Mellon	00 04 00
3 plates of Pickles	00 03 00
3 plates of Prawns	00 03 00
2 plates of Lemons	00 01 00
2 plates of Salads	— — —
4 large fowls and sauce for y ^e old people	00 10 00
a plumb pudding for the 12 boys	00 04 00
All provided by M ^r Howard.	
Total	11 04 00
P ^a for the use of pewter	16 06
P ^a the Butler from London	16 09
A Gallon of white 6 Gallons of Red and 3 q ^{ts} . of sack from M ^r Galton	02 09 06
Musick and wine in the Gallery	04 08 00
p ^a pr W ^m Allen W ⁿ	<u>£19 14 09</u>

Again, in 1746, when James Allen was elected, the following was the bill of fare:—

- 1st Course. A Turkey and Oyster Sauce.
 Four Capons and Oyster Sauce.
 Two Hams.
 Two S^tLoins Beef.
 Sallad.
 Greens.
- 2^d Course. Two Couple Wild Ducks.
 Turkey forced Meat balls and Sausages.
 Two Capons.
 Two Quarters House Lamb
 Cauliflowers.
 Salad.
- 3^d Course. Two Marrow Puddings.
 Two Apple Pyes.
 A dozen Lobsters.

Four Capons for the Old People and a plumb pudding for the Boys.

The Dinner, with four Cooks, one Scullion, Knives, Forks and Pewter, Pipes and Tobacco, came to £8 7 10½

Six dozen of Wine provided but there was only three dozen and
 a half made use of comes to 5 14 0

£14 1 10½

In more recent days this “dynner” seems to have been one at which many guests were assembled, as an order is given (1842) to lay the table in the schoolroom for fifty persons.

In the election of Fellows, the candidates seem to have been selected by the existing members of the body corporate, without any special publicity being given to the fact of a vacancy having occurred. The plan of voting for Fellows, scholars, poor brethren, and sisters was simple in the extreme. The names of the candidates being written down in the “Private Sitzings” “book,” each voter made a long stroke with a pen opposite the name of the candidate he favoured; the two with the largest number of strokes being then selected to “draw the Lott,” which was never omitted in the case of Fellows except when they were appointed by mandamus of the Archbishop of Canterbury, or had been poor scholars of the College. It should be added that the lot was used in the election of all poor brethren and sisters except those from Camberwell, who were selected by the College, as were also the poor scholars from the same parish.

As a specimen of how the elections of Fellows was managed, the following correspondence with the Rev. Joseph Blanco White* in 1831 is given :

* The Rev. Joseph Blanco White (born 1775, died 1841) was a priest of the Roman Catholic Church in Spain for a good many years. He afterwards joined the English Church, and in later years became a Unitarian. He was the author of many (chiefly controversial) works in Spanish and English; the best known is *Doblado's Letters from Spain*. London, 1822.

the allusion to "common musicians" is interesting. In actual fact none of the later fourth Fellows knew much, if anything, of music. The gentleman who succeeded on the failure of Mr. White was the Rev. R. G. Suckling Browne :—

March 6, 1831.

Dear Blanco,

Poor Linley, 4th Fellow and Organist of Dulwich College died this morning. Some years ago, you had thoughts of offering yourself for the situation, if it should ever become vacant, and therefore I hasten to inform you of the event, that you may announce yourself as a candidate without delay, in case you are still of the same mind. You are aware of the nature of the office. The organist is a Fellow of the College, and the late M^r Linley was a clergyman. The duties are to play the organ on Sundays, and instruct the children in music—twelve in number. The emoluments are at present about £160 a year, besides apartments, commons, and wine. As the organist is completely on the same footing with the other Fellows, we wish, of course to avoid common musicians, and to have a man of education, with the manners and feelings of a gentleman.

The election, from the mode of conducting it, is to the last moment uncertain. Two persons are chosen by the electors, who are five in number, and these two draw lots for the situation.

Let me know, if possible, by Tuesday morning, what is your determination, as we shall be overwhelmed with applications as soon as the vacancy is known.

Yours faithfully,

JOHN ALLEN.

To the Rev. Blanco White.

Dulwich College, March 6, 1831.

My dear Sir,

A vacancy has occurred in the little monastery here by the death of one of its members whom I highly valued and deeply regret. But if any one circumstance more than another could furnish me with consolation, it is the prospect which the Master has held out, and which I sincerely hope you will realise, of your becoming his successor. I could not resist this hasty opportunity of telling you so, being My dear Sir,

Ever yours faithfully,

JOHN LINDSAY.

Oxford, March 7, 1831.

Dear Allen,

I shall be happy to take my chance of the vacant Fellowship of Dulwich College. My only difficulty is that, at this moment, I am not able to accompany the Psalm tunes required at Church. If, however, you were to allow me for a *time* to pay a person who should play and teach the children, I trust that my knowledge of music would enable me in a few months to do the Organist's duty myself. If there is no objection to this plan, I beg you will enter my name as a candidate, and tell me what else I must do. With many thanks for your kind remembrance of me, I am, dear Allen,

Yours ever faithfully,

J. B. W.

March 8, 1831.

Dear Blanco,

I am very glad you propose to stand, and with your knowledge of music I have no doubt you will learn to play the organ in much shorter time than you mention.

It will be necessary for you to come to town in order to wait on the electors. Poor Linley's funeral is to take place on Saturday, after which the sooner you pay your respects to them, so much the better. I have no doubt of others coming forward as candidates before his interment, but I think it better taste not to make any personal application till afterwards, though it should not be delayed later than Sunday or Monday. As soon as we have two good candidates, we shall proceed to the election.

Yours faithfully,

JOHN ALLEN.

It may be noted here that the grants to poor scholars were gradually, and even rapidly increased, as public opinion was brought to bear on the neglect of the statutes in respect of education, especially as regards sending the boys to the Universities. The total number sent to Oxford or Cambridge was eighteen; the last boy so sent was in 1770. But the grants and apprentice fees began to increase in 1824, being then raised from £10 to £25, in 1828 to £30, and again in 1842, when as large a sum as £40 was given to each boy at the termination of his apprenticeship, thus making the amount expended on him since leaving the College £160.

The business records of the Corporation were well and carefully kept in accordance with Statute 94, the audit books, eight in number, from 1626 to the 31st December 1857, being all in good preservation. The weekly account books, which give the particulars of the College expenditure for each week separately, are also extant for the same period, with the exception of one volume containing the years 1642–1645. A vast number of receipts and bills are also preserved, as well as many letters, briefs, opinions of counsel, surveyors' reports, and the like; but with the exception of numerous documents relating to the suits with the Bowyer family about tithes, and the suits relating to the Fortune Playhouse, as a general rule few of them date further back than the eighteenth century.

In addition to these records of a more or less public or official nature, there are also a set of what the statutes call "Private Sittings Books," but these unfortunately only exist from May 1729 till December 1857. The records contained in them are meagre and intermittent, as may have been gathered in the course of this History. When the Master was at variance with the Warden, or with any of the Fellows, important items were apt to be left out; but occasionally entries are made at some length, *e.g.* on the 6th June 1806, the object of the Private Sittings books was fully given as follows (see Chapter XII.) :—

Much inconvenience having arisen to the Society by the delay of business on Friday, through the Introduction of strangers to the College table: It is agreed that

in future no Stranger or other Person unless for some particular cause relating to the Society be that day admitted. And it is particularly recommended that no Member absent himself that day, as it is set apart for the transaction of business.

Ordered, that whatever is wanted for the College be mentioned at a Private Sittings.

From these audit and other books a good deal of information might be gathered as to rates of wages during the last two centuries; some examples are here given :—

3 January 16th 88. Richard Aylwin y^e porter came in wages 4th per ann:

10 february 16th 88. Philip Greenwood y^e Master's man came wages 6th 10th.

21 May 1742. John Davis to be scullion at y^e yearly wages of £4.

26 April 1743. John Short to be butler of this College at £5 a year and 20/ at Xmas.

H. James to be bailiff of the Woods and Caterer at £8 a year.

T. Inwood to be gardener of this College at £5 a year.

1748. Dame Harrison to have £2. 10s. for nursing boarding and lodging her son (a scholar of the College) seven weeks in the small pox.

25 Aug^r 1752. Thomas Tague to be Cook at £8 a year and the Dripping.

5 July 1756. Agreed to give the Gardener £8 a year wages because his perquisites from marriages are ceased and those from Christenings are much lessened.

N.B.—The Marriage Act was passed in 1753, and marriages ceased to be celebrated in the College Chapel in 1754.

7 March 1757. Thomas Taylor to be Butler of this College at £8 a year wages.

15 december 1759. M^r Hilary (fellow) requiring a Servant to attend on him; agreed to board the said servant in the College for £10 a year (reduced next year to £8).

13 September 1805. It is moved and agreed that Joseph Wilson the scullion be discharged and allowed a months wages and that Francis Parry the present Cook, in consideration of his undertaking to supply both the places of Cook and scullion have his wages advanced to Eighteen pounds per ann: to commence from Michaelmas next.

On the same day the wages of Charles Reading, the butler, were advanced to £18; and on the 11th October 1805 those of the gardener were advanced to £15, and those of the bailiff to £14.

On the 6th June 1806 it was ordered "that as the Warden has suggested it would be advantageous to the Society to purchase their Bread and Beer, he be requested to do it in the best manner he can."

On the same day it was ordered "That as the Assistant to the Cook is unwell another be hired at 7^s per week;" and also ordered "That for the present James Killick be admitted the College Bailiff in the room of his brother who is married and at the usual wages."

On the 13th September 1811, William Brown was hired as gardener at £34 per annum. It is probable that the new gardener received only partial board at the College. On the 29th September 1815 the bailiff's wages were settled at 25s. per week, and those of the gardener at 24s. per week, both of them being in all probability non-resident. On the 30th April 1818, Mr. Vane, the second Fellow, wishing to keep a servant in the

College, it was ordered that he pay the Warden £5 a quarter for his board. On the 9th September 1820 it was resolved that in consideration of the faithful services and good conduct of the present butler his wages be raised to £12 a quarter. And on the 15th April 1837 it was ordered that the wages of the cook and housekeeper be £40 a year, with no perquisites whatever.

With respect to the hours of chapel, school, breakfast, and dinner, the Private Sittings books do not contain many particulars; but apparently the daily services were at 9 A.M. and 3 P.M., and those on Sunday at 10 A.M. in summer, and 10.30 A.M. in winter, and at 2 P.M.

The school hours are only mentioned in 1805, when they are stated to be as follows:—

From Lady Day to Michaelmas
Six to Ten: Twelve to two: half past three to five.

From Michaelmas to Lady Day
Seven to Ten. Twelve to half past two.

It is to be feared that these hours were not adhered to, even at the time they were solemnly set forth in the Private Sittings book. In truth, the hours of school were—

9 to 2 on Monday, Wednesday, and Thursday.

9 to 11½ on Tuesday.

9 to 12 on Saturday.

9 to 1 on Friday.

All Saints' days were whole holidays; and in addition there was a week at Easter, four weeks at Whitsuntide, three weeks in September, and four weeks at Christmas. (See Chapter XV. Evidence before Charity Commissioners of Rev. William Fellowes, 28th June 1854.)

The exact hours of meals are seldom mentioned, but apparently the poor scholars dined at two o'clock in summer, and at half-past two in winter, except on holidays and holiday eves, when they dined at mid-day. In the last century the Master, Warden, and Fellows breakfasted at eight A.M., and dined at three o'clock. In 1806 it is recorded that the dinner hour is changed to four; and, doubtless, it gradually crept on to five, and ultimately to six o'clock.

As may be seen from Mr. James Hume's remarks and other sources, an open table was kept in his time:—

It is, I confess a fine thing to have a plentiful table at command and to be in a condition to entertain our friends and visitants at the publick charge. But if the Founder has made no provision for it, as it is certain he has not, where is our right to do so? To say that we assume this privilege as a valuable consideration for our Dividend will not do. For the poor's proportion in a Dividend being with respect to ours as 3 to 2 or thereabouts, it were not amiss to consider, how we can oblige them,

whose interest the Founder has made inseparable from ours without their consent to contribute three-fifths towards the entertainment of our friends and acquaintances? Friends, did I say? nay very often nobodys friends and hardly any one's acquaintances. (See p. 225.)

This was not the case in later years, though the College was still given to hospitality, and entertained tenants and neighbours as well as friends continually. Indeed, in the earlier half of the present century there seem to have been guests almost every day, those best known to the butler being mentioned by name.

The wine consumed was port and sherry, although in quite the later days claret, hock, and champagne were purchased in small quantities at very high prices.*

The following orders on the subject may be quoted in illustration:—

6 June 1806. That for the present One Dozen of Wine be given out every week to the Butler for the consumption of the College viz^t. Nine of Port and three of White.

11 December 1812. Ordered: That the consumption of wine at the College table shall not exceed three bottles on any one day, unless there be present more than six persons of the following descriptions viz^t. Members of the College, Steward and Surveyor of the College, Clergymen officiating at the Chapel of the College on Sundays or fast days, Candidates for the Office of Warden or for Fellowships, persons invited to dinner on the business of the College: a pint of wine extra being allowed for every such person making a greater number than six. And if the consumption of wine on any one day should exceed the above allowance, the excess shall be charged against the person or persons who may have given occasion for the same by bringing a friend or friends to the College table, or in case no Strangers have been present it shall be charged against the Master, Warden or Fellow who happened that day to preside at the College Table. That audit days and Rent days be excepted from the preceding regulation.

On the 5th March 1819 it was ordered that the consumption of Porter by the College be limited to 14 barrels a year viz^t one barrel every four weeks for the ordinary consumption of the table and Kitchen, and one barrel extra for Rent days; but it is noted on the 18 february 1820, that the order of the 5th March concerning the consumption of porter in the College not having been properly observed, no more Porter be ordered for the College from the Porter Brewers.

Again, on the 27th february. 1836 it was ordered That a regular account be kept by the Butler of the extra wine supplied to the members of the College and consumed there; and where the amount does not exceed £3 (Query per month?) to any one member, that no charge be made to him for extra wine: And where the amount exceeds £3 to any one member that the surplus be charged to him. This regulation appears from the butler's book to have remained in force till the dissolution of the Corporation.

Plate.—Tradition has it that during the civil war the College sold much if not all of its plate to help King Charles. Be this as it may, two

* See account of dinners to the Royal Academy in Chapter XVIII. The first champagne used by the College, about 1830, cost six guineas a dozen. It was used sparingly, port being the staple.

pieces still remain of dates much anterior to that period, viz. an engraved silver bottle, weighing 15.90 oz., and dated 1562 (it is much worn and battered as if it had met with many falls); and a silver gilt chalice, weighing 11.75 oz., dated 1599.

The following articles of later dates are also worthy of note :—

A Silver Paten, dated 1661, engraved with the following inscription: "The Gift of Ralph Alleyn, the fourth master of the College 1672." Weight 16.70 oz.

A Silver Gilt Alms Dish, date 1688, engraved with the following inscription: "The Gift of George John Allen April 11. 1852." Weight 25.20 oz.

A Silver Flagon, date 1654, engraved with the following inscription: "Don^m. Jacobi Alleyn 1812." Weight 39.10 oz.

A Silver Gilt Paten, date 1708, engraved with the following inscription: "Given by George John Allen master of the College January 17 1850." Weight 25.26 oz.

A Silver Dinner Plate, date 1729, engraved with the following inscription: "Donum Jacobi Wall Gent.," and bearing a coat of arms impaled with those of the College. The crest is a dog rising out of a coronet.

A Large Plain Silver Tankard, date 1761, engraved with the following inscription: "Three pieces of Plate given by Edward Matthias and Thomas Alleyn were exchanged in part payment for this." Weight 45 oz.

A Plain Silver Cup on square foot, date 1762, much worn, with the College arms engraved on it. Weight 12 oz.

A Large Silver Waiter with shell border, date 1762, engraved with the following inscription: "The Gift of William Allen Esq^r Master, to Dulwich College 1807," with arms and crest a dagger. Motto, "Per ense ad astra."

A Pierced Silver Breadbasket, date 1773, with arms (not the College) engraved. On the bottom is "The Gift of M^{rs} Jane Morris."

In addition, there is a considerable quantity of spoons, forks, salt-cellars, salvers, and other articles formerly in daily use. There are also two dozen silver dinner plates, hall mark 1788, weighing about 17 oz. each, engraved with the arms apparently of a foreign nobleman, the supporters being two lions. Mrs. Desenfans, in her will, left the College (besides other silver articles) "Three dozen of silver plates with the arms of Noel Joseph Desenfans, Esquire, engraved on them." It seems probable that in reality the College only received the two dozen above mentioned, although it is certainly curious that, if so, no record has been made that one dozen plates were missing! It should be added that the College of Arms state that Mr. Desenfans had no title in England to bear arms at all.

All the College plate, except that in use at the chapel, has been since 1883 kept in a fire-proof safe, which also contains the signet ring of the Founder of the College and the former seal of the College in an iron box, with two curious V shaped iron padlocks and two keys, one being still labelled "3rd Fellows Key." (See *ante*, p. 230.)

In 1772 a club was started, apparently by the members of the College, to which residents on the estate were admitted by ballot. In its earlier days it was generally known as the "Quarterly Meeting," but more correctly as the Dulwich Club. Its objects were purely social and convivial, the members meeting at the Greyhound or some other inn once a quarter to dine and play a rubber. This club still exists, but its meetings are now half-yearly, and the Greyhound is no longer its chief habitat, the members preferring Greenwich or Richmond, or the Crystal Palace.

As may be gathered from what is related in the earlier history of the College, questions were often raised as to whether certain Masters or Wardens were or were not secretly married. In later times scandals arose not unfrequently from analogous accusations in reference to various "Gentlemen of the College," as they were collectively called in the neighbourhood. The most notable of these referred to Thomas Allen (Warden 1752, Master 1775, died 1805), who, while nominally dwelling in the College, really lived chiefly at Sycamore Cottage (nearly opposite the east end of the chapel), with certain female relatives or connections. He had a broad white mark painted from top to bottom of the College garden wall to guide him in passing to and fro on dark nights. This mark remained visible for many years after his death, and is still remembered by living inhabitants.

Although in the earlier days of the College there may have been some freedom allowed to traders generally, as there certainly was in inns and taverns (see Chap. XVII.), a different practice prevailed in later times, when it was a sort of custom that no more and no less than two of each trade should be permitted in the hamlet. Many of the older inhabitants will remember that there were two butchers, two bakers, two grocers, and so on, but no pawnbrokers or dissenting chapels dared to trespass on the lands of God's Gift!

The doles and gifts peculiar to the place were considerable; in addition to Lady Falkland's Charity, already mentioned (page 305), there were several others either belonging to Dulwich or in which it participated. The following particulars are taken from the Sixteenth Report of the Charity Commissioners, dated 24th June 1826:—

Henry Smith's Charity.

The portion of this Charity, which is received by the Parish of Camberwell, is applied towards the purchase of 21 great coats, which are distributed by the churchwardens to as many poor old men of the parish, 10 of them being resident in the Camberwell Division, seven in the Liberty of Peckham, and four in the hamlet of Dulwich.

The cost of the coats generally exceeds the amount of the rent received. The deficiency is supplied from the general Donation Fund.

Noyes' Charity.

Edward Noyes, by will, dated 31st March 1800, bequeathed £300, 3 per cent. annuities to poor persons of the parish of Camberwell, who should neither be maintained nor relieved thereby, to be distributed at the church door of the said parish on Christmas day and the 21st February every year (which last mentioned day was the birthday of his son) in bread.

This stock now stands in the names of the Rev. Edward Smyth, Robert Curtis, Thomas Turk, and George Spence, producing an annual dividend of £9. This dividend is applied to a distribution of bread in four pound loaves on Christmas day and the 21st of February. About £6 worth of bread is given away at each distribution, the deficient £3 worth being supplied from the general Donation Fund. The bread is delivered by tickets, which are given by the churchwardens to poor families of the parish, each receiving one, two, or three tickets, according to the numbers in their respective families.

The Charity is apportioned between the three divisions of the Parish, as follows, viz^t. to Camberwell, one half, being £4. 10s.; Peckham, three eighth's, being £3. 7s. 6d.; Dulwich, one eighth, being £1. 2s. 6d.

Mrs. Harriet Smith's Charity.

Mrs. Harriet Smith, wife of Benjamin Smith, of Harper Street, Red Lion Square, by will, dated 23rd Sept^r 1808, by virtue of a power contained in her marriage settlement, bequeathed to the vicar, churchwardens, and overseers of the poor of the parish of S^t Giles, Camberwell, £1000 3 per cent. annuities, to be held by them and their successors in trust, to pay and divide the interest and dividends thereof from time to time amongst 10 of the oldest poor housekeepers of the towns and villages of Camberwell and Dulwich equally for ever.

This stock stands in the names of the Rev^d Edward Smyth, James Hardwidge, Esq^r., James Jacks, Esq., and William Smith, Esq.

Of the annual dividend of £30, seven tenths are applied to the poor of the town of Camberwell and the remaining three tenths to the poor of the hamlet of Dulwich. This appointment has been made by agreement between the inhabitants of those respective places.

The portion belonging to Camberwell is given away in sums of £3 to seven of the oldest poor housekeepers of the place of the most respectable character, who do not apply to the parish for relief, but who are selected by the churchwarden upon his knowledge of their claim or upon the recommendation of other respectable inhabitants.

In Dulwich it has been usual not to confine the proportion allotted to that hamlet to three poor persons, but to give it in different sums, varying from £3 to £1 to poor housekeepers not applying for parish relief. In future it will be applied to three only, according to the directions of the donor.

Allen's Charity.

Joseph Allen, formerly of Dulwich, Doctor in Medicine, by his will, the date of which does not appear, gave to the vicar and churchwardens of Camberwell £200 three per cent. consols, in trust for them and their successors, to pay the interest and dividends thereof to the churchwarden and overseer for the time being for the hamlet of Dulwich, every year, to be laid out in coals, and distributed amongst the poor

housekeepers of the hamlet of Dulwich for ever, in such manner as the churchwarden and overseer for the time being should think proper.

This stock now stands in the names of the Rev. Edward Smyth, George Spence, Thomas Turk, and John Bartlett the younger.

The dividends, amounting to £6 per annum, are paid over to the churchwarden* of Dulwich, who distributes the amount in sacks and half sacks of coals among the poor of the parish, of whom he makes out a list upon his own judgment of their wants. The distribution takes place yearly, about a month after Christmas; it is postponed to that time in consequence of there being other gifts to be distributed at Christmas.

Application of the General Donation Fund.

To this fund, as we have stated, are carried the rents of £88 and £10. 10s. derived from Sir Edmund Bowyer's charity, and the rents of £62 and 10s. and the dividends of £24 derived from the Poors land, as also the small surplus of 1^s 4^d from Hunt's charity, making together a total of £185. 1s. 4d. Out of this fund the treasurer pays annually to the churchwarden for Camberwell £80; to the churchwarden of Peckham £60; and to the churchwarden of Dulwich £20; he also pays the sum of £2. 9s. a year for the insurance of the houses derived from Sir Edmund Bowyer's gift, and some small additional charges. The remainder has accumulated in the treasurer's hands, and at the last audit on 27th July 1825, amounted to the sum of £201. 14s. 9½d. It is proposed that a sum of £160 of this balance should be now taken out of the treasurer's hands, and paid over to the three churchwardens in the usual proportions.

The course of distribution by the three churchwardens in their respective districts is nearly similar. After making up the deficient money for bread and clothing, under the specific charities as before mentioned, they distribute the rest in money. On a day appointed for the purpose about Christmas, the poor attend, and upon examination as to their wants, and character, and the numbers in their families, they receive sums varying generally from £1 to 2^s 6^d.

Some portion of the money is kept back to be applied at other times at the discretion of the churchwardens, as urgent cases of distress occur; an accurate account is kept by them of the persons to whom they make the distribution, and of the sums given to each; these accounts are produced at a parish audit, when they are regularly examined and entered in a book kept for that purpose.

Dulwich Free School.

By indenture, dated 31st August 1741, between James Allen, of Dulwich in the county of Surrey Esquire, of the one part, and the Master, Warden, four fellows, six poor brethren, six poor sisters, and twelve poor scholars of the College of God's Gift, in Dulwich in the County of Surrey, of the other part (enrolled in Chancery 1st September 1741 and registered in Middlesex 7th September 1741, B. 2. No. 401), The said James Allen, for the considerations therein mentioned, conveyed to the said master, warden, &c., all those pieces or parcels of ground situate near Kensington Gravel Pits in the parish of Kensington, Middlesex, containing in front towards the west, next the road 180 feet of assize, or thereabouts, and on the south side thereof from east to west, 112 feet, and on the north side thereof, from east to west 91 feet

* The College chapel was then the only "Church" in Dulwich. It never had any churchwarden.

six inches, and on the east side thereof 165 feet, together with six messuages then lately erected thereon, and all other erections and buildings, &c. To hold the same to the use of the Master, Warden, &c. to the intent that they and their successors should for ever apply the rents, issues and profits of the premises towards finding and providing a school mistress or mistresses to be resident in Dulwich for the instructing and teaching such and so many poor boys to read, and so many poor girls to read and sew, as to the Master should seem meet, provided that the Master for the time being should have the oversight and care, and the letting and setting of the premises, and collecting the rents, and also the inspection of the charity; and that he should make such rules and orders for the better regulation thereof as to him should seem meet; and that as a compensation for his trouble it should be lawful for the Master to deduct £5 per annum for his own use, out of the rents, and also £1. 6s. for a treat to the tenants on paying their rents. (See page 277.)

At the date of this indenture the premises were held under building leases at rents of £4. 16s. on one lease, and £3. 6s. on each of five others, making together a rental of £21. 6s. per annum, and leaving after the payments of £5 per annum to the Master and £1. 6s. to the tenants, a clear income of £15 for the use of the school.

The leases having expired in 1807, the houses which are situate in a row called High Row, near the Gravel Pits, were again let on leases for 31 years at a total rent of £193. 10s., to which must be added the sum of £8. 4s. for the dividends on £205 four per cents., purchased from savings, making a total income of £201. 14s.

Until the expiration of the leases in 1807, the charity was necessarily of a confined nature, the net income applicable thereto being only £15 per annum. This was regularly paid to a school mistress for the purposes of the charity.

The College of Dulwich being anxious to promote a charity founded by a former Master, and to increase the benefit to the village of Dulwich, have permitted the charity to have the use (rent free) of a respectable house at Dulwich, near the college, and in the centre of the village, which is their property, and worth at least £60 per annum, thereby contributing to that amount towards the benefit of the charity.

By the funds first received after the expiration of the original building leases the school house was fitted up and repaired, and proper and distinct school rooms made for the boys and girls.

The Master of the College has provided a Schoolmistress, and also a Schoolmaster, by whom the boys and girls are instructed in these separate rooms. The boys are taught to read, write and cipher, and the girls to read and sew; and both are instructed in the principles of the Church of England.

The following is a statement of the present annual expenditure:—

Salary to the mistress, including £20 paid for the rent of a house in which she resides, contiguous to the school house	£40	0	0
Salary to the master, who resides in the school house	84	0	0
The allowance to the Master of the College not retained by the present master	0	0	0
Treat for the tenants not lately supplied	0	0	0
Coals, per annum, about	17	0	0
Repairs and taxes, average of four years, from 1821 to 1824	13	6	5

Insurance	£2 10 0
Books, pens, paper, ink and requisites of that nature, for both schools, and such articles of expense as naturally appertain to the occupation of a con- siderable school house (average)	4 15 0
	<hr/> £161 11 5 <hr/>

There is consequently an annual surplus of about £40.

By the means of this charity the children of all the poor resident in Dulwich and the neighbourhood, within the distance of a mile, who make application for the purpose, receive education.

At the time of our enquiry above mentioned the number of scholars consisted of about 60 boys and the like number of girls, which appears to have been the average number for several years.

The inhabitants of the village, by a subscription among themselves, clothe 12 of the boys and 20 of the girls, at an expense annually of between £60 and £70.*

* This school is now (1888) known as James Allen's Girls' School (see page 277). The building erected for it in 1866 is now the property of the School Board of London.

CHAPTER XVII.

LOCALITIES.

It has been remarked that names persistently adhere to the soil,* but in Dulwich the reverse is the case, as but few of the old names now remain, or can be identified with the lands they refer to. While this is true of places there, it is remarkable how the surnames of persons in the hamlet come down from generation to generation. This may be accounted for in earlier days by the difficulty of locomotion, and in later times by the attraction of the almshouses, a certain portion of the inmates having been, until quite recently, necessarily inhabitants of Dulwich. It is further noticeable that many places seem to have derived their names in whole or in part from the persons owning or dwelling in them, such as Robynmannysfeld 1429, Clementysfeld 1431, Westende de Harryesdene 1435, Gasconys pytte 1486, Carters crofte 1489 and 1493, Denweyes croft 1493, Gonnelles lands 1519, Lords crofte 1523, Wrethesacre 1523, Wattes croft 1562 and 1568, Bochers close 1590, Lanes land 1590; and also Nic. Foster his Boornes and Knightes Napps. In defining boundaries, lands are often also described as lately in the occupation of Sir J. Duke and the like, which, of course, really tells little or nothing now-a-days.

The changes in spelling and appearance are often very marked; for example, Crokstrete 1334 and 1435, Croksted Lane 1594, Cockshutt Lane about 1780, Croxted Lane 1857.† It is possible that Cockshutt may refer to some other lane, but the strong probability is that it is a phonetic attempt at Crokstrete or Croksted.

Again, we have in 1334 Le Pittele, in 1339 Le Peyhtill, and in 1403 Le Pigthill; and in 1335 Haspole, in 1424 Le Aps and Le Aspe, in 1525 Aspole, in 1553 Le Apps and Le Apse, and in 1608 Ashpoole. Canelfield 1454, Kennels 1596, and Kennoldes 1609, are shown in the muniments to be identical, which cannot be positively stated in regard to the preceding lists.

The following names tell their own story, although they cannot now be

* *Words and Places*, by the Rev. Isaac Taylor.

† Alleyn in 1602 was in correspondence with a Mr. John Page regarding the purchase of land near Firls in Sussex. Mr. Page dates his letter from Croxstedes, and addresses Alleyn as "My good Landlord" (MSS. iii. 11, 12 and 14).

identified :—Houndeshute 1400, Gotermede 1402, Spendelmanfeld 1406, Dibbelles croft 1408, Debyleys croft 1443, Le Marlepyte 1414, xviii acres 1429, Hayteneacres 1458, Myddlefield 1435, Lytylcroft 1436, The Waterynges 1458, V. Daywark 1468, Lyttle Myddlefalde 1562, Le Pond apud Sponde ende 1564, Gorylande 1593, Long Hilles 1679, Furziehills 1697, Coney Acre 1681, Hunger Hill 1609 ; Brockholles Grene (*i.e.* Brockwell) is mentioned in 1629, but was not within the manor.

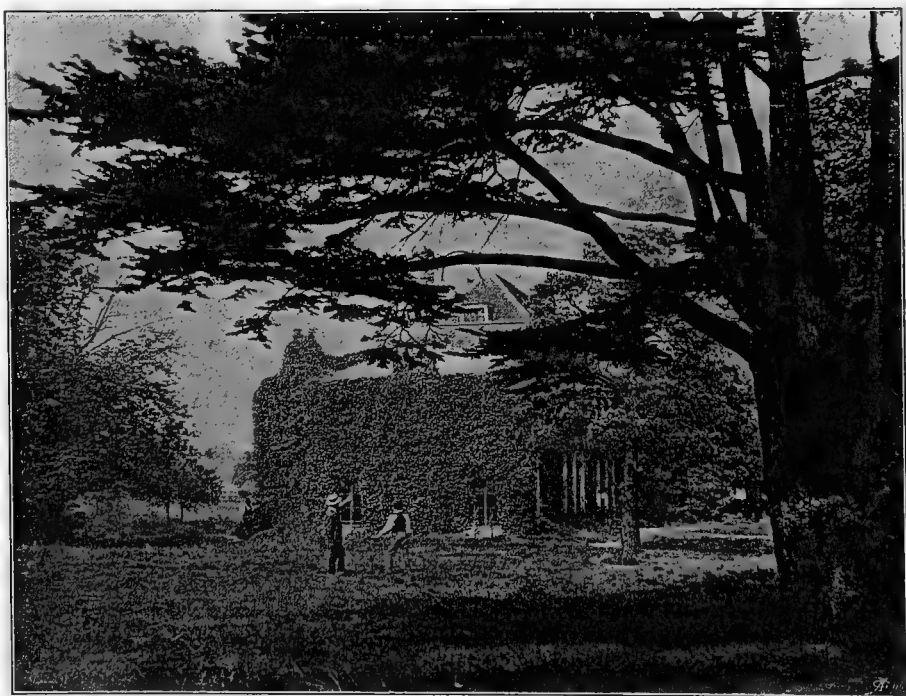
The Brownings frequently occurs in the Deeds at Dulwich, varying from "Brounynges" in 1422 to the present spelling. There is also mention of the "Great" and the "Little," "Mr. Parrys," and "Henry Hunter's" Brownings. It is believed that all, or nearly all, these lands were a part of the meadows lately attached to the "Bell House," and now forming a portion of the Dulwich Park ; but the earliest mention of the word is in 1333, when it occurs as a man's name, "Henry Brounynges."

The meadow south of the old College garden was named the "Howlettes," and was intended by the Founder as a recreation ground for the poor brethren and sisters. It is still an open space, with a public walk leading from College Road to Gallery Road. The name first occurs in 1380, when Howlett's Bridge is mentioned, then 1399 Howlotesdych, 1406 Hulottes, and in 1486 back to Howlettes ; also in the sixteenth century we find Howlettes "Meade" and "Grene."

Of "Downs," the only one mentioned is Blanchdownes in 1600, and Blanchdowne Grove in 1606. The "Greens" were more numerous, *viz.* Dulwich Green, on which the old College was built ; Howlettes Green, already mentioned ; Ireland Green, which was a small open space at the Herne Hill end of Half Moon Lane as late as the middle of the eighteenth century ; Lordynge Grene in 1547, not identified ; "Rygates" or "Rycotes" Grene in Dulwich Common Wood 1542, and again in 1544 "60 acres of wood called Rygates Grene ;" the name again occurs in 1619. The house now so called is believed to occupy the west end of the old Grene ; but in this case again the name first occurs in 1376 as that of a man, John Reygate. Round Grene, mentioned in 1618, was a small open space in Dulwich Wood, near the top of what is now called Sydenham Hill.

The only stream on the Dulwich estate was the Effra, which, rising on the hill at Norwood, flowed for some distance nearly parallel with Croxted Lane, thence through Springfield, past Herne Hill, and so on by Water Lane (now Dulwich Road) till it reached the Thames at Vauxhall. It has now ceased to exist, or rather, has been converted into a closed sewer.

Names occur in the old muniments, which are noted here simply as curious, *e.g.* Byremares brugg in 1335, and Besemeres bregge in 1400 ; land lying in Rude in 1334, "Apud duas cruces" in 1438, and "Tway-crochyn" in 1472 ; Walcardys crofte, Walkens crofte, and Walkers croft



Hall Place
Front & Back Views
1870.

in 1454 to 1458 ; and Dickairdings and Dicker-ridings 1609 to 1617. These and many others will be found in the chapter on the Court Rolls (vol. ii.).

“Dulwich Wood” extended from the south-east end of the manor at the top of what is called Cox’s Walk to what was in former days called Norwood Common. It was divided, after the foundation of the College, into ten coppices, the underwood of one being cut each year to supply firewood to the “Collegiantes.” These coppices were named—

1. Lapsewood.
2. Ambroke or Ambrose Hill Wood.
3. East Peckherman Wood.
4. West Peckherman Wood.
5. First Low Cross Wood.
6. Second Low Cross Wood.
7. East Vicars Oak Wood.*
8. West Vicars Oak Wood.
9. Hither King’s Wood.
10. Further King’s Wood.

Other woods and copses are mentioned, such as “The Cokers” 1626, Hamonds Copice 1614, Kynges Copyes 1579 (probably Nos. 9 and 10 in the above list), Linges Coppice, Parke Coppice 1674, Dulwich Common Woode 1542, Rigates Wood, already mentioned, and a wood called Wodeshere in 1334 and Woodsyer in 1606.

Hall Place, in later days called the Manor House, was the principal residence on the estate, and is believed to have been the home of Edward Alleyn for some considerable time, probably to the date of his death. It was a large house, with some 30 acres of land surrounding it, and a smaller house adjoining, both originally constructed chiefly of wood ; it is mentioned by this name as early as 1544—at other times it was known as Knowlis and The Manor House (1619).

The smaller house is probably that let by Edward Alleyn to William Lawton in 1619 for £40 in hand and £8 a year rent ; the larger one had apparently been in 1602 the residence of Sir Robert Lee, Lord Mayor of London. In 1662 it was leased to one Nicholas Thurman, of Sherborne Lane, in the parish of St. Mary Woolnoth, London, merchant, at a rent of £20, and the property is described as “Hall Place with yards, garden, &c, with the mote round about the said messuage containing 2 acres more or lesse, also pcell of pasture lying on South Side called Home Field containing 6 acres, and 4 closes called Lings containing 20 acres adjoining southwards to the last mentioned lands.”

One of the inhabitants of Hall Place, Captain Lynn (*circa* 1750),

* *Aubrey*, vol. ii. p. 33, speaks of “a great wood,” called “Norwood,” belonging to the see of Canterbury, wherein was an ancient remarkable tree, called the “Vicar’s Oak,” where four parishes meet in a point. This wood consists wholly of oaks. The Vicar’s Oak was cut down in 1679.

quarrelling with a neighbour, challenged him, and in the ensuing duel was killed by his antagonist, apparently somewhere close by the Old House.*

In 1768 the then occupier, under the inspection of the College, spent some £2000 in replacing the wood by brick, and generally, to use his own words, "converting the same into a habitation fit for the residence of a "gentleman." Up till about 1773 there was no proper road to this house, carts and other vehicles simply crossing the common "anywhere." In that year Mr. William Kay, the lessee, made a proper road from the corner of the common (now the corner of Gallery Road and Thurlow Park Road) up to his house. Hall Place was finally pulled down about 1880, much to the regret of many. It is, however, fair to add that in the words above quoted it had so thoroughly been "converted into the residence of a "modern gentleman," that all trace of Edward Alleyn's time had long disappeared. It is thus described when the lease was offered for sale (but withdrawn) by Mr. Christie in 1773:—"A Brick Building firmly erected, "judiciously planned and neatly finished in the present taste. It is an "open, delightful situation, perfectly retired and free from Noise, Dust or "the inconvenience of adjoining neighbours. The encircling vicinage "genteel, the prospects diversified with distant Hills, rising Woods, and "verdant Fields, and an extensive right in Dulwich Common." The views given of this house were taken about twenty-five years ago. The back view shows a portion of the old building.

ROADS.—The names of some of the present roads are to be found in the Court Rolls, *e.g.* :—

May 1610. We doe fynde and present that the open ground or common beinge on the Hill and adjoyninge on the South part of Viccars Oake Coppice and extending and abutting as followeth viz' in Lenght from East to West from Low Crosse coppice to Viccars Oake and in bredth throughout from North to South from Viccars Oake coppice to the highwaie there, leading from Lewisham to Croidon ys to the knowledge of diverse of this Jury the ground or soyle of the Lord of this Manner.

1621. The Jury found that the road on the West side of the College was very bad (*valde ruinosa*) upon which Edward Alleyn gives sixty rods (*sexaginta virgatas*) of land towards improving the road; he also is to build a bridge over the common sewer and to lay a sufficient quantity of gravel on the road as to make it fit for carts and

* Dulwich meadows seem in later days to have been used for duelling. In *Captain Blake*, by W. H. Maxwell, published by Bentley, 1838, is the following :—

"Why, said the Colonel, my dear friend—I beg pardon, my dear Sir, the north of the City is so "notorious, and Cockneys, through ignorance, so troublesome; that they will not permit one to "transact business quietly; for as our countryman Sir Lucius says 'In England if a thing gets "wind, people make such a pother, that a man cant fight in peace and quietness.' Now I prefer "for the Surrey side, and there is not a prettier shooting ground in Britain than the Dulwich "Meadows. I think I could mark off as sweet a sod there, as ever a gentleman was stretched upon. "You are truly considerate Colonel; and my friend and I will be punctual. But where shall "our rendezvous be? Oh the Greyhound. Capital house that! Civil people, excellent wine, and "if a man's nicked, the greatest attention. I shall be there before you. Farewell!"

carriages. After it was thus put in repair by him it was in all time to come to be repaired by the inhabitants under a penalty of £10.*

1629. Croxted Lane from the common sewer bridge in the foresayd lane to Brockholles grene to be a party lane, and Item. that from Brockholles bridge to the corner of Deasy hill to be a party lane, and again the same lane from the corner of Hockley hill East to the west corner of the land which the founder of the College purchased of Sir Edward Duke, to bee a party lane likewise.

By the statutes £10 a year was to be paid to keep in repair the horse and foot road to Camberwell, and occasional complaints of the inhabitants are recorded that this money was not properly spent for its intended purpose, and also requests that the money should not be paid to the road surveyor, but spent on the roads by the College itself. Still the road from London was, even in Alleyn's time, a good one, as roads were in those days. It came, as it does now, from London Bridge, through Walworth and Camberwell, over Red Post Hill, through the village, taking the right or picture gallery side of the old College, and terminating at the south-east corner of the common, near what is now the end of Gallery Road; at least after that, up to Norwood Common or Gipsy Hill it was a mere track or right of way across the open space.

The roads in Dulwich itself existing in old times were, Hall Lane, Low Cross Lane, Dulwich Court Lane, Dulwich Common Road or Lane, Croxted Lane, and some College private roads.

HALL LANE was a broad grassy track (impassable in wet weather), which followed pretty nearly the present road leading to Lower Norwood, past the Alleyn's Head Tavern.

LOW CROSS LANE† was a green lane or track running between the wood of the same name and Kingswood.

DULWICH COURT LANE was a farm road or passage to Lordship Lane, which latter was so called as dividing the lordship of Dulwich from that of Frierne.

It has been said that CROXTED LANE was used by the pilgrims going to the shrine of St. Thomas à Beckett, at Canterbury. Although no written authority for this tradition can be found, it is probably correct, as it is evident that for those devotees who came from the south side of the Thames, outside of Southwark and Lambeth, it would be shorter and pleasanter in fine weather to travel thus than by the Old Kent Road. When they emerged from Croxted Lane they would find themselves on Dulwich Common, across which there were various tracks leading up to Sydenham Common, whence they could see their way for many miles

* Query, could this have suggested the statute ordering the payment of £10 annually for the repair of the highways mentioned immediately below?

† Sometimes erroneously spelt Cow Cross Lane.

stretched out before them through Beckenham and Bromley, towards Chevening, where they would strike the Pilgrims Road (still traceable), through Otford, Wrotham, and across the Medway at Snodland Ferry, passing thence by or near Lenham, Charing, Eastwell, and so along the river Stour to Canterbury.

The Penge Road, now part of College Road, was originally made by a Mr. Morgan in 1787 as an approach to his house on the top of the hill, the road at present running on the left of the old College being little more than a broad track or right of way until it was improved and made to lead into this private road of Mr. Morgan's, which was thus made accessible to the local public. In a plan of the parish of St. Giles, Camberwell, revised and corrected in the Perambulation in 1834 by W. G. Poole, Morgan's road is laid down as what is now called Fountain Road, College Road being called "Penge Road." The present Gallery Road is there called "Back Lane."

There seems always to have been a road running across the Common towards Forest Hill, as it does now, except that in earlier days it ran close past the doorsteps of the houses—*e.g.* the door of the Blew House "gave" on to the road without any forecourt. The present forecourts were taken from the Common soon after the enclosure in 1805, the road being then called Sydenham Road or Dulwich Common Road.

As a sequel to the description of the roads, it ought to be placed on record that the present Turney Road and the portions of Rosendale Road and Thurlow Park Road, which are on the manor, were made at the expense of the railways when they first passed through the property. Townley Road was made partly to give free access to Alleyn's school, and partly under an agreement whereby an important portion of land (Oakfield House) close to the new College was acquired by exchange for land close to where Townley and Woodward Roads join Lordship Lane. Almost all these roads follow pretty nearly the line of old footpaths.

The Metropolitan outfall sewer follows the course of Thurlow Park Road, Gallery Road, the High Street of Dulwich, to the gate of the burying-ground, whence it runs in a perfectly straight line towards Alleyn's school, passing out of the manor in the field in the south side thereof.

DULWICH COMMON.—The name only of a Common now exists, the last remains having been enclosed by Act of Parliament in 1805. The preamble of this Act states that "there is within the Manor of Dulwich in the Parish of St Giles Camberwell in the county of Surrey, a common called Dulwich Common and certain Waste Grounds containing together One Hundred and thirty acres or thereabouts."

In all probability, at and before Alleyn's time the Common extended a good deal further east than at the date of the 1805 enclosure. There is

mention at early periods of Dulwich Common Wood, of Rigates or Ricotes Green, and other indications that the land south of what is now called Dulwich Common Road was quite open on to Lordship Lane, beyond St. Peter's Church and Cox's Walk, and up the hill towards the present Crystal Palace. In short, the whole slope of the hill from Cox's Walk to Hall Place and Croxted Lane, including the present or new Dulwich College grounds, was a large open space, crowned by the ten coppices already mentioned. It is probable, moreover, that the woods in very early times stretched down in some places until they came within a very short distance of the old College and village.

In old days a windmill stood nearly opposite the pond in what is now the northern end of the gardens attached to the new College. The pond itself never was used as a mill pond, though so called from its nearness to the windmill. In a map of 1740, a "Bree Kill Mill" is indicated opposite this mill.

Between the houses now occupied by Miss Druce and Mr. Henry Page stood an old farm-house, inhabited a century ago by Bartlett and Ridley, two names still existing in the hamlet; the present stable of Mr. Page is a part of the old building.

At one time there was a fair held on the Common, and but a few years ago some of the older inhabitants could recollect it in its failing days. At a still earlier period a bird market was held on Dulwich Common every Sunday morning at six o'clock.

Here something may be said as to the safety of the roads in former days. Some still alive can recollect what was called the patrol; indeed, the last man so employed died in the village about 1850. In addition to this patrol, which was a local precaution, "there were," to quote an indignant traveller, "watchmen with boxes, muskets and rattles for nearly "the whole of the first stage out of London, and notwithstanding there "are robberies and murders every night." In the additional Dulwich MSS., part 9, there will be found a letter from the chief inhabitants of the hamlet in 1778, asking leave to establish a nightly watch, and to place a watch-box in one of the recesses under the east window of the College chapel.

DULWICH WELLS.—There were two distinct mineral springs, which went by the name of Dulwich Wells. The more ancient of the two was not on the estate but between Sydenham and Lewisham,* on the other side of the hill which divides Surrey from Kent. At one time this place was greatly frequented by seekers after health, not probably of the higher ranks, yet in large numbers. From allusions in writers of the day it would almost appear that many of the patients dwelt in huts or structures of a temporary nature. For instance, an English traveller in Scotland,

* In E. Bowen's map of Surrey, 1767, he mentions the Dulwich Wells, adding, "called Sydenham "Wells from the famous physician of that name's approbation of the virtue of those waters."

about the year 1700, mentions that the dwellings at Crawfordjohn, in the wilds of the Lanarkshire hills, resemble "the buildings at Dulwich Wells " near London ; the walls are either of earth or loose stones or are radled ; " the roofs are of turf and the floors the bare ground."

This well is mentioned by Evelyn in 1675 ; and earlier still, a certain Dr. Peters, in a book entitled *Notable Things*, published in 1648, gives a long and minute description of its virtues. The following may be given as a sample :—

This water strengthens the brain and nerves, prevents or cures the Apoplexy, Falling Sickness, Palsy, Dizziness, Ache of the Head, and suchlike symptoms. It strengthens the stomach, causeth good digestion, consumes crudities, it makes gross bodies lean and the lean fleshy, in a word this water will effect whatsoever by any intention in a medicinal way is to be performed.

He adds that—

For a person of middle age and complete strength, I hold eight or nine pints a day a fit proportion, taking at first a third part of the quantity and then walk half an hour then take another third part and exercise half an hour more and then the last remaining part and walk until all has passed out of the body until dinner time. You may eat a few carraway comfits, coriander seeds, Elecampane or Angelian preserved to help the digestion. Above all be temperate in your diet, eat beef, mutton, veal, lamb, chicken, pullet, turkey, partridge, pheasant, conies, &c.: forbear salt meats, ducks, geese, bacon, tripe, salt fish, eels, old cheese, leeks, onions, cabbage, musk, melons, cucumbers. As for drink, beer, ale or wine may be moderately drunk. Let supper be larger than dinner and six or seven hours after it.

Dr. Peters further states that a certain person would have monopolized the well by building and enclosing it, and thereupon it was observed that it lost its taste, colour, and effect, and people left off drinking it. Some time after it was observed to return to its primitive goodness, "being bestowed " upon the poor, and it hath held its virtue ever since."*

The second or real Dulwich Well was in the grounds of the inn called the Green Man,† at the eastern end of Cox's Walk.

The following full description of its discovery and merits, by John Martyn, F.R.S., Professor of Botany at Cambridge, is extracted from the *Philosophical Transactions* for 1740, vol. xli. p. 835 :—

Dulwich is a village lying about Six miles South of London at the Foot of that Ridge of Hills which divides the Counties of Kent and Surrey. The Purging Springs, which have been esteemed for about a hundred years, and are commonly known by the name of Dulwich Waters, have been improperly so called: those Springs arising in a Valley on the South Side of those Hills, in the Middle of a large Common belonging to the Parish of Lewisham in Kent, whereas Dulwich is on the North Side of the Hills in the Parish of Camberwell in Surrey.

* Alas for "ever since," the site of this well is now almost forgotten !

† Now the Grove Tavern, or more familiarly, "Bew's Corner," from the name of a former occupant. The present tavern was built in or about 1860.

There has not been any medicinal Spring observed in Dulwich before that which is the Occasion of this discourse.

In the Autumn of 1739, M^r Cox, the Master of a well known House of good entertainment, called the Green Man at Dulwich, lying about a Mile beyond the Village, was desirous to dig a Well for the Service of his House, there being no Spring of good water near it. And as it was probable, that he would be obliged to dig pretty deep, I was willing to observe what Strata of Earth he dug through. The first 20 feet in Depth seemed to be only the Clay, which in a long tract of time, had been washed off from the Steep Hill, at the Foot of which his house is situated. It was intermixed with pieces of Roots and Leaves, and with other Fragments of vegetable substances. In digging 40 Feet deeper the Clay was found of various Colours, brown, blueish and black; intermixed with a considerable Number of Pyritæ or Copperas Stones, and some pretty large Masses of the Waxed vein or Ludus Helmontii, which is also found in great plenty on the Sea shore near the Spaw at Scarborough.

The Well being digged to the Depth of 60 feet, and no Water appearing, M^r Cox caused it to be covered up, and gave himself no further Trouble about it that winter. The following Spring, on my coming down, it was opened. I found 25 Feet of Water, of a Sulphureous Smell and Taste, which went off after the Well had been opened some days.

As I had a strong Suspicion that this water was Impregnated with some Mineral, I made an Inquiry into the Nature of it by the following experiments:—

1. It curdled Milk.
2. It became green when mixed with Syrup of Violets, which colour disappeared in a few days.
3. Being poured on Green Tea, it did not acquire any colour.
4. Being mixed with powdered Galls, it acquired a deeper brown colour than Rain water did, and continued turbid; whereas the Rain water continued clear, after the Galls were subsided.
5. Being shaken in a close stopped Phial, it dislodged a Vapour on opening the Phial before the Commotion ceased, with a more audible Noise than common water did.
6. Being mixed with Oil of Vitriol, and Oil of Tartar, a much more considerable Ebullition was raised, than by the Mixture of those Liquors with Rain water.
7. Six Quarts of this Water, being boiled to a Pint, let fall a large Quantity of a fine, whitish, insipid Powder; and the water so boiled had a very strong Saline Taste, with a mixture of bitterness, not unlike the *Sal cartharticum amarum*.
8. It let fall a copious white Sediment, on the Addition of the Oil of Tartar, which has the same Effect on a solution of Alum or of *Sal cartharticum amarum*.
9. The boiled Water, after it had deposited its Earth, precipitated large white Flakes, on the addition of Oil of Tartar.
10. It differs from a solution of Common Salt. For the Oil of Tartar, being dropped into that Solution, caused only a slight Precipitation, which was soon afterwards absorbed again by the Water.
11. It does not lather with Soap.

Having made these Experiments, I was satisfied that this new Spring was really a Purging Water, as it has since been found by Experience. Some of M^r Cox's Family drank of it with Success, which encouraged several other Persons to try it, to their great Advantage.

Being drank fresh, in the Quantity of Five half pint glasses, it purges quickly, not sinking but raising the Spirits.

It is found to be very diuretic.

These Properties of the Dulwich Water do not seem to be owing to any of the Materials found in digging the Well. The Pyritæ are known to be a Mixture of Iron and Sulphur, but this Water seems to have hardly any Parts of Iron in it (Exp. 3 and 4). The Spirit, with which it abounds (Exp. 5 and 6), may perhaps be owing to a Fermentation of the Sulphur, which is continually flying off, as appears by the strong Smell of it, after it has been for some time covered up. And M^r Cox has lately informed me that a Silver Cup, which has been often used in drinking this water, has acquired a yellowish Colour.

The Ludus Helmontii affords nothing but Iron, nor does the Clay, through which they dug, discover any Salt in its Composition. We may therefore conclude, that the Hill, which lies between the old Wells and this new one, contains the Purging Salt, with which these Waters are impregnated.

I do not find any material Difference between the old and new Waters, except in the Convenience of drinking them. The old Wells are at a distance from any house, except some few Huts, and exposed to the Rain and Land floods, by which they are often injured: The new Well is a mile or two nearer to London, well secured from any injuries of the Weather.

JOHN MARTYN.

December 11, 1740.

This Green Man afterwards ceased to be used as an inn, was renamed Dulwich Grove, and became the temporary residence of Lord Thurlow, while his house at Knight's Hill was being built. It then became the well-known school of Dr. Glennie, where Lord Byron was "prepared" for Harrow, as thus described by Thomas Moore:—

On the west side of Lordship Lane, and opposite the wooded footway leading to the summit of Sydenham hill, was formerly a school of considerable note under the superintendence of D^r Glennie.

The mother of Byron, having thought it advisable in 1799 to remove her boy to London for the benefit of surgical advice, was anxious to place him at some quiet school where the means adopted for the cure of his lameness might be more easily attended to. The establishment of the late D^r Glennie, at Dulwich, was chosen for the purpose: and as it was thought advisable that he should have a separate apartment to sleep in, the Doctor had a bed put up for him in his own study.

During his stay here, he is described as having been attentive to his studies, playful, good-humoured, and beloved by his companions. He was excessively fond of poetry, and shewed an extensive acquaintance with Sacred History. One little incident which appears to have made a deep impression on the youthful mind of Byron, and which was certainly remembered long afterwards, occurred here. Amongst the books to which he had access, was a "Narrative of the Shipwreck of the *Juno*, on the Coast of Arracan, in the year 1795." This pamphlet exactly suited the ardent and inquisitive spirit of the "*Childe*," and some parts of its graphic and touching scenes were subsequently woven with admirable effect into the second canto of "*Don Juan*."

It was probably during the vacations of the year 1800 and consequently in the intervals of his residence at Dulwich that he commenced two important eras of his existence. He began to *love*, and to *write verses*. "But," said he in after life, "I was a fool then; and am not much wiser now."

No other incidents affecting his future life appear to have transpired at Dulwich Grove, nor does his progress in scholastic duties or discipline seem to have been very great, as he was described on his arrival at Harrow, whither he next went, as a "wild mountain colt."

After the death of D^r Glennie, the school was entirely pulled down, and a small lodge of very unassuming character now occupies the spot. The original playground and orchard retain something of their former character, and are occasionally resorted to by parties of pleasure: few of its visitors probably being aware that the spot has been consecrated by the presence of one of the greatest names ever associated with our own privileged and happy shores. (*The Life of Lord Byron: His Letters and Journals.* By Thomas Moore. John Murray, 1847.)

KNIGHT'S HILL.—Although this estate is not within the manor of Dulwich, yet as of late years a portion of it has become the property of the College, some notice of it may be given.

The *European Magazine* for July 1786, vol. x. p. 8, contains an engraving of the house, with the following remarks:—

Knights Hill Farm, the villa of the Right Honourable Edward Lord Thurlow, Lord Chancellor of Great Britain, is situated between Dulwich and Norwood. When his Lordship purchased it a few years since, it was a common farm house. He has since caused it to be new fronted, and some additional apartments and offices have been built, and the gardens and adjacent grounds laid out in a pleasing taste; in which, however, utility has not been sacrificed to show. From its vicinity to town, and agreeable situation, it has become the favourite residence of his Lordship, when he is disposed to exchange the pomp of state for the pleasures of retirement and domestic felicity.

In a collection of prints of mansions in Surrey, published in 1795, is also to be found a picture of the mansion, to which the following letter-press is appended:—

This new seat of Lord Thurlow, situated near Dulwich in Surrey, at the distance of about six miles from London, is erected near an old farm house, for some years inhabited by M^{rs} Hervey, who has long been under his Lordship's protection.

The estate was bought by Lord Thurlow, of the Duke of S^t Albans; and the grounds have been considerably enlarged by subsequent purchases: they form a very extensive and beautiful sheep walk.

The present edifice, though grand, is in the plain, simple style, from a design by M^r Holland, which detracts not from his high reputation as an architect. It is built of those peculiarly neat-looking bricks called Suffolk Malms: and is remarkable for being the very first house finished throughout with the newly introduced cone floorings, hitherto only partially adopted.

From the upper stories, the views are delightful, over Kent, Surrey and the metropolis: and the winding of the Thames is likewise plainly discernible all the way from Gravesend to Chelsea, being a circuit of more than thirty miles.

The house and grounds are nearly compleated, and the whole arrangement is annually improving in beauty; the expences, it is said, fall little short of thirty thousand pounds.

Although not the property of the College, the Gipsy House is often mentioned; it was situated in that part of Norwood now called Gipsy Hill, and is described as "on a small green in a valley surrounded with woods." The sign-post was a portrait of Margaret Finch, who was styled Queen of the Gipsies; she died in 1740, at the alleged age of 109 years. Lysons says that from a habit of sitting on the ground with her chin upon her knees, the sinews became so contracted that she could not rise from that posture, and so was buried in a deep square box. Her niece Bridget, also Queen of the Gipsies, died in 1768; her burial took place in the College burying-ground, and is thus recorded in the Register—"Old Bridget the "Queen of the Gypsies buried August 9th." The Gipsies haunted that part of Norwood long before that period.*

The inns or taverns on the Dulwich Manor are at present (1888) four, viz. The HALF MOON, originally established about 1760; The CROWN, about 1720; The GREYHOUND, which is marked in a list of about 1816 as "Ancient; a new addition by Robert Boxall 1776, and by William Middlecott 1813." The Middlecotts conducted this inn with great respectability for four generations, ending about 1870. The family of Goodman held the Crown for nearly as long a period. The GROVE TAVERN, built about 1860 on the site of the old "Green Man," which existed in 1700. In 1754 mention is made of the Assembly Rooms attached to the Green Man.†

During the eighteenth century, and possibly before that, there also existed the following inns and taverns:—

The BELL, before 1773: it was in the village near the Greyhound.

The HARE AND HOUNDS, about 1720 or later: exact site not known.

The WHITE HART stood a little to the south of the North Dulwich Station, where "Ivy House" now is.

The FRENCH HORN was on the east side of the old College. It was afterwards used as a National School, the master, Mr. Tijou, living in a part of it for many years.

There seems also to have been a "DENMARK HILL TEA GARDEN," kept by Luke Lightfoot in 1765.

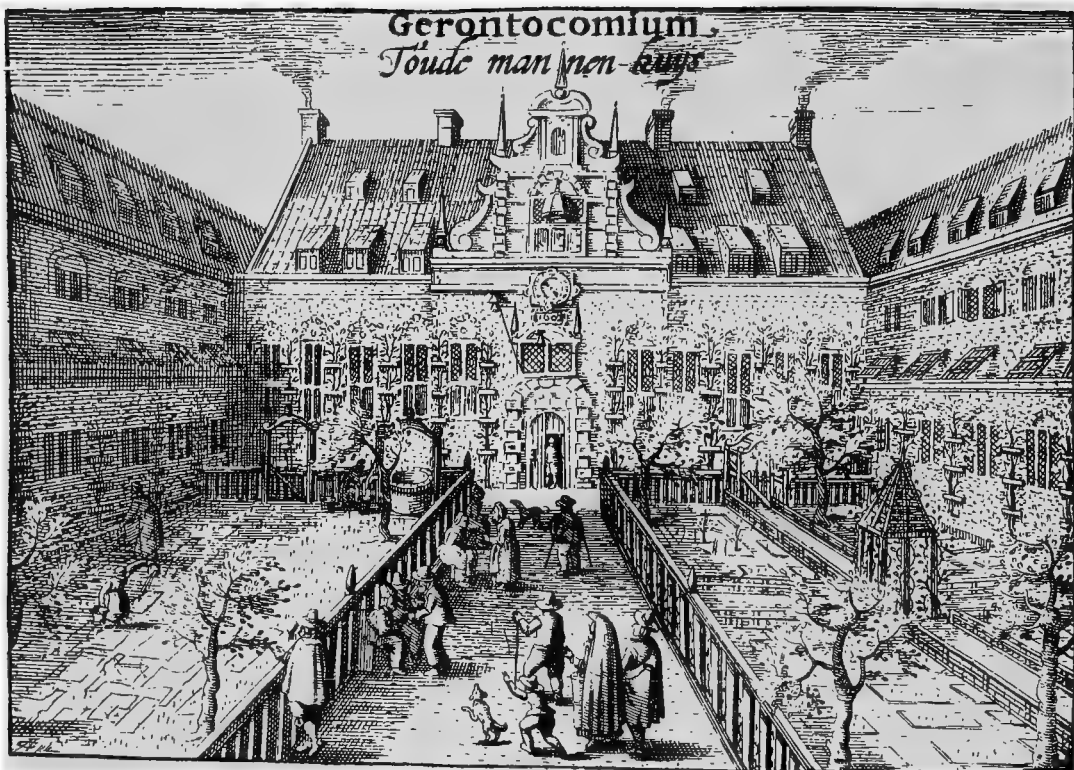
THE COLLEGE.—This building was erected by John Benson in 1613

* Pepys in his diary, 1667, mentions that "his wife and Mercer and Deb" went to have their fortunes told, apparently at this place, though the description is somewhat indefinite.

† That Vauxhall and Ruckholt and Ranelagh too,
And Hoxton and Sadlers, both Old and New,
My Lord Cobham's Head and Dulwich Green Man,
May make as much pastime as ever they can.

—*Musick in Good Time*, a new Ballade 1745.

Gerontocomium.
Toude man nen kuis



(see p. 18). It has been stated by old writers that it was designed by Inigo Jones, but this theory rests solely on the fact that he was present at the foundation. As, however, Alleyn, in his official capacity of Master of the King's Games, was frequently brought into contact with Jones, and at least once spent several days in his company, and as no mention whatever is made of an architect in the builder's contract, it is more probable that the visit of Inigo Jones was made in the capacity of a friendly fellow-official than in that of the designer of the building. A more plausible origin for the plan of the College has been found in the fact that Alleyn had some acquaintance with a *History of Amsterdam*, published in 1611, by Jan Isaac Pontanus, in which is an account of an institution in that city, founded in 1550 by Hoesia Nicolaa Paradys, a wealthy matron, for the reception of aged men and women, and called the "*Geronticomium*." * Pontanus' work contains an engraving of this asylum, which bears a resemblance to the early prints of Dulwich College, so close that it can scarcely be conceived to be accidental; and though the theory cannot be supported by evidence, it is at least not improbable that Alleyn, hearing of the institution at Amsterdam, which was flourishing at the time, and devoted to objects similar to those he contemplated, should have studied Pontanus' account of it, and thought the general design of the building worthy to be copied. He obtained a translation of the statutes of the institution, as given by Pontanus, which is extant at the College (MSS. v. 48).

Be this as it may, the College building has gone through a good many changes during its now nearly three centuries of existence. It must be admitted that the original plan was not a very good one, and the builders must have "scamped" the work, otherwise it would not have "tumbled down" so frequently as the records show it to have done. There are various descriptions of it from time to time in old writers, occasionally couched in somewhat contemptuous and sarcastic language.

Edmund Howes, in his continuation of Stow's *Chronicles*, published in 1631, gives an account of the constitution of the College, and describes elaborately the consecration of the chapel, but does not say anything as to the buildings themselves.

Evelyn, in his diary, under date 2nd September 1675, says:—

I went to see Dulwich Colledge being the pious foundation of one Allen a famous Comedian in King James time. The Chappell is pretty, the rest of the Hospitall very ill contrived; it yet maintains divers poore of both sexes. 'Tis in a melancholy part of Camerwell parish. I came back by certain medecinal Spa waters at a place called Sydnam Wells in Lewisham parish much frequented in Summer.

* See Plate.

John Aubrey, F.R.S., writing in 1719 (*Natural History and Antiquities of Surrey*), says :—

About two miles from Camberwell, in the hundred of Brixton (the richest in this county) bordering on Kent, is an Edifice containing two Quadrangles called the College of God's Gift at Dulwich. . . .

On the outside of the several Parts of this Building are several dates of Repairs : as at the East End of the Quadrangle—1656 : at the West End 1651—on which side is situate the Picture Gallery, at the North End of which is the year 1667, denoting the Repair of that Part which fell down about that time. In it are several worthless pictures, and some not so bad ; viz' the Founder, and his first wife, Henry Prince of Wales, Sir Thomas Gresham, Mary Queen of Scotland, and several others given by M^r Cartwright, a Comedian whose picture is at the upper end. At a small distance is situate the Chapel wherein are the following remarkables. In the Chancel on a free stone, on the South Side in Capitals is this Inscription—

Here lyeth
in Hope of the Resurrection
the Body of
Joane, the religious and
loving wife of Edward
Alleyn Esq, Founder of
this Colledge, who de-
parted this mortal
Life the 28th of June
1623, being in the
51 year of
Her age.

Painted on the South Wall in the shape of a Monument, in Capitals, is this Inscription—

Jone Allene, the religious
and loving Wife of Edw.
Allene Esquier, Founder of
this Chappel and Coledge, depa-
rted this mortal Life with-
out Issue on Saterdaye
being the 28 of June 1623
And was solemnely
interred on the first
Daye of July, following
In the Quire of this
Chappell.

On a greyish marble in the middle of the chancel is this Inscription—

Here lieth buried the Bodie of Edward
Alleyn, Esquire, the Founder of this
Church and Colledge, who died the
21 Daye of November 1626.

There have been eight lines more but so worn out as to be now illegible.

On the North Side, on a Grave stone of white Freestone, in Capitals, is this Inscription—

Here lyeth
the Body of Anne
Jenslowe, late Wife to
Philip Jenslowe Esq^r one of
the ordinary Sewars of the
Chamber to Queen Eliza-
beth, and King James the I.

Three lines are worn out, and now illegible.*

There is a Library, in which is a Collection of Plays given by M^r Cartwright a Bookseller who lived at the End of Turnstile Alley (a Place which was at first designed for an Exchange for the vending of Welch Frizes, Flannels, &c. as is visible on the Left Hand coming from Lincoln's Inn Fields, where it is turned with Arches). This Cartwright was an excellent Player, and besides his Plays gave many Pictures; one a view of London, taken by M^r John Norden in 1603† with the Representation of the City Cavalcade on the Lord Mayor's day, which is very curious.

Again, in a survey of the Cities of London and Westminster, by Robert Seymour, published in 1734, it is stated:—

The College is a strong Gothick Building the Front of Stone, and the Side wings of Brick, which are the Houses of the twelve poor people, six on one side for the men and the same number on the other side for the women. . . .

The Churchwardens of the Parishes above mentioned (S^t Buttolphs Bishops-gate, S^t Saviour's Southwark, and S^t Giles, Cripplegate) meet twice a year viz^t on the 4th of March, and 4th of September, to look into the affairs of the College and have a dinner provided for them. In the Room where they dine are several antient pictures, particularly of the Founder, his Father, his Brother, his Wife, and his Mistress, ‡ who by this Picture was a most beautiful woman; there is likewise a Picture of Prince Henry eldest son of King James I., and several old heads of the Kings of England from William the Conqueror to Henry VIII.; of the Apostles; and of the antient sybills. Joyning to this Room is a Gallery 80 feet long and 15 broad, in which are likewise some good pictures especially one of S^t Jerome. This long Gallery, which is the whole length of the West Wing of the House, over the Apartments of the Six poor women, is seldom made any use of but upon the Election of a warden, and then there is commonly a Ball § in it.

Again, a writer in the *Gentleman's Magazine*, vol. xv. p. 426, 1745, states:—

They assemble at prayers twice a day in the Chappell, One of the clergymen belonging to the foundation officiates. If a spirit of devotion was ever peculiar to any place I believe it is so here. The hearty, the unaffected piety of the pensioners, the plainness and simplicity of the place, the universal decency, the sober and religious behaviour of the congregation (which consists chiefly of respectable citizens, who have

* All these inscriptions have long disappeared.

† This has unfortunately been missing for many years.

‡ See Chapter XVIII. p. 482.

§ See Chapter IX. page 272.

country retirements in the neighbourhood, and honest farmers and their families who think of nothing in going to church but serving God), are all irresistible excitements to piety, and a "beau" would be devout here, for fear of being unfashionable. . . .

In the Gallery belonging to the College are a great many pictures, the donations of different people; some are very well done, particularly one representing some father of the Church, or religious hermit. His countenance expresses at once all the severity that is produced by a detestation of immorality with all the composure and secret joy that piety occasions. Fair Rosamond tho' in faded colours still preserves charms enough to render King Henry's immoderate passion for her excuseable; and the Founder seems to observe with pleasure those happy institutions he has made. There is also the picture of a boy, formerly belonging to this College, drawn by himself, and that, without the assistance of any master in the art of painting: The piece is generally allow'd to be very well done.*

The gardens have nothing extraordinary in them: they are in the old taste, and small; but very proper for the place, and furnish'd with fruits and vegetables for the use of the College.

The Library is compos'd of books necessary to the School, and has but few MSS.† (if any). The founder has been at no unnecessary expence, but made all the ornamental parts subservient to the main point the happy establishment of the revenues and comfortable support of the distress'd. A garden, elegantly laid out, had indeed very much contributed to the beauty, but little to the use of the place: and a library of valuable books and scarce MSS. had been of less use here than anywhere. Nothing material is omitted, nothing superfluous has encreased the cost; which plainly shews the founder's aim was the service of his fellow creatures, not the vanity of having built a college.

In the August number of this magazine for the same year, 1745, is the following, said to be "written on the wall of the College of God's Gift at "Dulwich, founded by Edward Alleyn, Esq., who died 1626":—

Quod petis, hic est: Horace.

Attend, vain shade of Ægypt's mighty Lord ‡
 For sumptuous walls, and tow'ring piles ador'd §
 Whose hand laborious taught their pride to rise,
 To spurn afflicted earth, and threat the skies.
 Own you mistook the road to real fame;
 And view these humbler roofs wth conscious shame.
 Say, to what end you rear'd each mighty tow'r;
 Each fond effect of too luxuriant pow'r?
 Say, to what end thy lab'ring subjects groan:
 And load whole regions with a mass of stone?
 Say, where the praise whole millions to consume,
 And lie, magnific, in a splendid tomb?
 See for the poor, these friendly walls appear;
 Want finds relief, and charity is here.

* Possibly No. 73 in the appendix to the catalogue.

† The writer must have been curiously misinformed, as the MSS. then in the College were very numerous, and the library by no means contemptible.

‡ Cheops.

§ The Pyramids. (These two notes are in the original.)

Here, let the honest and distress'd repair,
 And with their maker's bless the founder's care.
 Survey the joys that charity can bring
 And see the player* far excel the king.
 Courts to the dead thy mighty fabrics give;
 These walls receive, and nourish those who live.

A paper in the *European Magazine*, vol. x., August 1791, after giving an account of the institution, thus speaks of the College itself:—

The original edifice, which was begun about the year 1614, after a plan of Inigo Jones, is in the old taste, and contains the chapel, master's apartments, &c., in the front, and the lodgings of the other inhabitants in the wings, whereof that on the east side was handsomely new built in 1739, at the expence of the College. Among the observables therein, they have a small library of books, and once had a good collection of plays given by old M^r William Cartwright, a comedian, and said to be an acquaintance of the founders: he was also a Bookseller, and lived at the end of Turnstile Alley by Lincoln's Inn Fields. Not far from the Library there is in the West Wing, a long gallery full of pictures, whereof the best were those left by the founder himself; to which were added also M^r Cartwright's collections; and amongst them a curious picture of London, from a view said to be taken by M^r John Norden, the topographer, in 1603, with the representation of the city procession on the Lord Mayor's day.† The founder's picture is at full length, in a robe or gown; but the resemblance of his face is said to have been drawn when he lay dead in his coffin. There is also a portrait of his former wife, of Mary Queen of Scots, of Henry Prince of Wales, of Sir Thomas Gresham, of both the Cartwrights, elder and younger, and many other persons of note, as appears by an old catalogue preserved of them. A late master's picture painted by M^r Charles Stoppelaer,‡ formerly of Covent Garden Theatre, is also here. The master's rooms are richly adorned with old furniture, which he purchases on entering into his station, and there is a Library, to which every master is expected to add some books. The College is also accommodated with a very pleasant garden, adorned with walks, and a great profusion of fruit trees and flowers. . . .

It is curious that this writer makes no mention of a substantial renovation of the west wing, which must have been in progress when his article was published, for in the *Letters of Horace Walpole*, edited by Peter Cunningham (London, 1859), the following appears under date 8th June 1791, only two months before:—

8 June 1791. This morning I went with Lysons the Reverend, to see Dulwich College, founded in 1619 by Alleyn a player, which I had never seen in my many days. We were received by a smart divine § *très bien poudré* and with black satin breeches—but they are giving new wings and *red satin breeches* to the good old hostel too, and destroying a gallery with a very rich ceiling: and nothing will remain of ancient, but

* Mr. Alleyn belong'd to the Theatre Royal. (This note is in the original.)

† See note on page 463.

‡ Probably James Allen (1721–1746).

§ The smart divine must have been the Rev. Thomas Jenyns Smith, preacher 1785–1830.

the front, and an hundred mouldy portraits among apostles, sybils and Kings of England.

Dr. Lysons, who accompanied Horace Walpole on this visit, thus speaks of the College in his *Environs of London*, published in 1792 :—

Dulwich College consists of a front and two wings, which form three sides of a quadrangle: over the door in the centre of the front building, is the following inscription upon a tablet of black marble:—*

The west end of the front building contains the hall, kitchen, and offices on the ground floor: above stairs are the apartments of the master and warden: the east end is occupied by the chapel, a plain unornamented structure.

A cemetery was consecrated at the same time with the chapel. It is situated about a quarter of a mile from the college, near the road to London. The chapel is now frequented by the inhabitants of the hamlet, to whom it serves as a chapel of ease: the parochial duties being performed by the senior fellow.

The contents of the picture gallery have been very cursorily mentioned in all the histories of the college. Aubrey, from whom the succeeding writers on the subject seem to have copied, says that there are portraits of Henry Prince of Wales, Sir Thomas Gresham, Mary Queen of Scots, and some other worthless pictures. The two latter portraits are not there, and as they are not mentioned in the old catalogue, it may be presumed they never were: of the remaining pictures which are treated with so much contempt, some have much merit and many are valuable, as being original and unique portraits of remarkable persons.

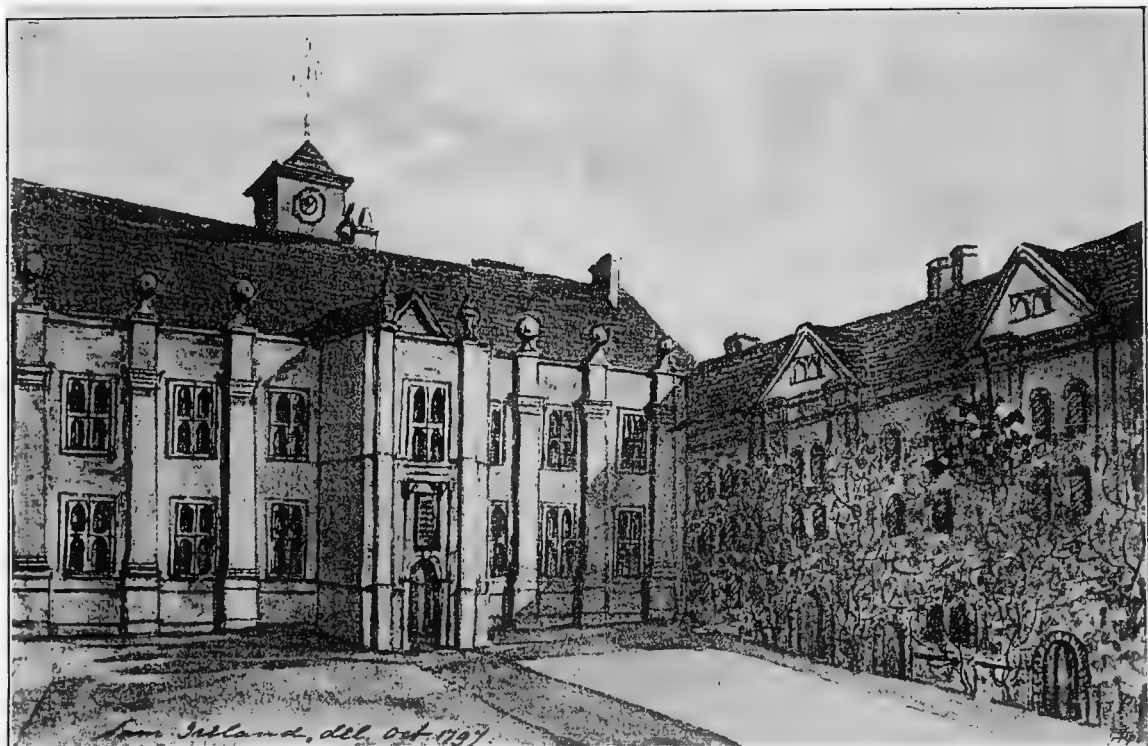
Adjoining the audit room is a small library, in which are the books bequeathed to the college by M^r Cartwright. This library formerly contained a very valuable collection of old plays which were given by the college to M^r Garrick when he was making his theatrical collection, in exchange for some more modern publications. There still remain some scarce editions of books in various departments of literature as it may be imagined would be found amongst the stock in trade of a bookseller, who lived in the middle of the last century. The college is likewise in possession of a few curious MSS. Among them is the Founder's diary, to which I have had frequent occasion to refer, and from which I here subjoin some curious extracts with occasional observations.

The east wing of the college has been entirely rebuilt: it was finished in 1740 and cost the college above £3600. In the centre of this wing, on the first floor is the schoolroom, and on each side the fellows' chambers, which are spacious and pleasant. Beneath are the apartments of the poor brethren.

Behind the college is a garden of very considerable extent, whence the view in the second plate of the college was taken; it exhibits the south side, consisting of the chapel and the master's apartments. (Lysons, vol. i. pp. 105–117.)

In *Pietas Londonensis*, by Mr. Highmore (1810), who seems to have been a resident in the neighbourhood, is given a description of the College, with a copy of the statutes. His chief authority seems to have been "Lysons." He mentions that in the centre of the east wing was this inscription—"Collegii sumptibus 1739."

* The inscription has been already printed on page 216.



Part of Dulwich College Quadrangle
1797.

Finally, a modern writer, Mr. Douglas Allport, in his *Collections Illustrative of the Geology, History, Antiquities, and Associations of Camberwell and the Neighbourhood*, printed for the author in 1841, thus describes the various changes in the College building :—

Dulwich College was originally a large but mean-looking building, two stories high, and forming three sides of a square. It had at first a steeple, which fell down on the 6th July 1638, and soon afterwards a considerable part of the fabric shared the same fate. The west wing was repaired in 1667, and the porch, which had also fallen down, in 1703. It retained an antiquated appearance till nearly the close of the last century, when the eastern wing was rebuilt in the substantial style of that period. It was of red brick, with stone pilasters and pediment, and independently of its heavy appearance had nothing in harmony with the other parts of the building.

It ought to be added that there now remains but little of the old building which Edward Alleyn so carefully superintended. During the present century large alterations have been made. The tower, which originally faced the south, has been pulled down, and rebuilt on the north side, in the centre of the quadrangle, with a cloister along the wall on either side of it. About 1864 Mr. Lindsay's bay window,* at the north end of the east wing, which really performed no duty, either useful or ornamental, was pulled down, and an additional set of eight almshouses took its place. The west wing was in 1857 adapted as best could be done for the use of the upper school; but some of the class-rooms had literally been used as coal cellars and other domestic offices, and so were quite unsuited for scholastic purposes. When the new College was opened in 1870, the lower school got possession of this wing, with the addition of the old library, and there it remained till 1887, when the new Alleyn's school was opened. The ultimate destination of this portion of the buildings will probably be to revert, partly at least, to the Founder's wish, and be transformed back again into almshouses.

The former garden of the old College stretched southwards up to the walk across the "Howlets," since called the Grove. The houses now called College Gardens cover the whole of it, except the small portion still attached to the chaplain's house. It was of the old-fashioned sort, without walls, and full of fine old fruit-trees and curious shrubs. The large Judas tree still standing against the chapel wall was planted in the year 1816.

Tradition has it that there was a special sort of elm-tree planted near the College, which came from Holland; and it must be admitted that the foliage of some of the elms in the "Howlets" bears a close resemblance to that to be seen in many of the Dutch pictures in the Gallery close by.

In 1850 it was proposed to establish on a part of Champion Hill (near

* Erected in 1831. See p. 359.

the present residence of Sir H. Bessemer) a "Botanical and Horticultural Society" for South London, similar to that then so prosperous at Chiswick. The Master, Warden, and Fellows seem to have favoured the suggestion, but ultimately abandoned it on finding that the chief tenants of the College in the vicinity strongly objected to anything of the kind. Among the most strenuous opponents were Mr. John James Ruskin, Mr. Stone of the Casino, and Mr. Matthias Attwood of Dulwich Hill. It is difficult to see why these gentlemen should have demurred to a plan which would have insured an open space for ever on a spot certain otherwise to be built upon.

Opposite the north gate of the old College stands a weather-beaten milestone, with the inscription,—

<p style="font-size: 2em; margin: 0;">V</p> <p>Miles from the Treasury Whitehall.</p>	<p>Miles from the Standard Cornhill.</p>
---	--

On the back are the words,—

Siste Viator
T. T.
1772.

The initials T. T. stand for Thomas Test, citizen and cooper, who was long an inhabitant of the place.*

The chapel of the College seems to have remained as it was when consecrated in 1616, being, of course, repaired from time to time, until the year 1823, when a new gallery was built on the south side, and an addition of several pews made in the interior. The cost of this was mainly defrayed by the tenants of the College, who acquired by their subscriptions of £8 per seat a right to the sole use of pews during the currency of their several leases.† The present oak screen and carved pulpit and stalls were erected about the same time.

It appears that when Mr. Hume presented the font to the chapel in 1729 (see p. 217), he intended it to have a copper cover with emblematical designs, thus described by him :—

"The copper cover of the font rais'd Cupalo-wise, to be divided into "four cantons, one of which is to be our Saviour baptized by John in "Jordan, with the distich,—

Lustravis non, Christe tibi purissime nostris
Purgandis maculis sanctificatus aqua.

* In Manning and Bray's *History of Surrey* the name is given as Thomas Treslove, J.P. Letters and other papers at the College show that this is erroneous.

† See p. 353.

“ On another, Philip baptizing the eunuch, with this verse,—

Eluitur labes animæ Baptismatis undâ
Non frustrâ Æthiopem, Sancte Phillipe, lavas.

“ On the third side, Christ with an infant in His arms, blessing it,—

Suffer little children to come unto me, etc.

“ The fourth side next the wall blank.”

A copper cover still exists, but bears no sign of any sort of ornament, being thickly smeared with common paint. It is not now used, and the font no longer stands against the wall.

CHAPTER XVIII.

THE PICTURES AND PICTURE GALLERIES.

THE Founder of the College had at least a desire to encourage art, as is shown by his purchase of pictures at various times (see Diary, 29th September and 8th October 1618, 25th and 30th September 1620, where he records the prices paid for Kings of England, Sibyls, and the like); and although these specimens, almost all still in existence, are sorry enough efforts, still they showed some sort of craving for art. He also bought the upper part of the Queen's Barge for £2. 2s. 6d. on the 19th December 1618, and in the July following had it fitted up as a chimney-piece in the College. It now forms the over-mantel of the library in the new College, and consists of two figures depicting piety and liberality.

On the left panel is *Pietas* (so inscribed), a female figure in yellow drapery and a white wimple. In her left hand she holds up a flaming altar, and with the down-stretched right hand she clasps the neck of a stork. On the right panel is *Liberalitas* (so inscribed), a female figure in a green dress with a scarf across the body, her left hand raised, her right hand down; in each hand a cornucopia; from that in her left hand issue fruits and flowers; from the other, coins, books, spoons, pens, shoes, and various other articles of dress and ornament. (*Supplement of Catalogue*, p. 50.)

The portrait of Alleyn, now in the Board Room of the new College, is a very good painting, and that of his wife Joan evidently a "speaking likeness;" they were probably left to the College by the Founder, but there is no direct evidence to that effect. That of himself, life-size, was probably painted some years before his death;* it certainly appears to be that of a man rather under than over fifty years of age. There is no trace of a painter's name, but it bears some resemblance to the work of Marc Geerarts or Gerard or Garrett. The elder of the name was a native of Bruges, and, coming to England in early life, was appointed painter to Queen Elizabeth: he died about 1604; but his son, of the same name and much the same style, continued to paint in England till about 1635. If either had a hand in Alleyn's portrait, it must have been Geerarts the younger. Under the portrait a large framed tablet was formerly suspended with the following

* Notwithstanding the tradition mentioned on page 465.

inscription:—"With a view to hand down to posterity the pious memory
 " of Edward Alleyn Esq: founder of the College of God's Gift Dulwich,
 " A.D. 1626, this original Portrait was repaired by M^r George Paterson, of
 " S^t Botolph, Bishopsgate, London, and these frames given by M^r Henry
 " Stent and M^r Richard Woodyer, churchwardens of the said parish.
 " A.D. 1790."

Mr. George Paterson and the churchwardens of St. Botolph had the best intentions, but it is apparent that they considerably altered the picture. The face seems to have been largely "assisted," and the beard trimmed, although the linen frill appears to be untouched. The hands seem genuine, except probably the ring; but the right shoe is "false" and out of drawing. A comparison between two engravings, one before and the other after Mr. Paterson's "repairs," corroborates this view. The first is of head and shoulders only (oval), with this inscription: "Edward Alleyn Esq^r. Founder of Dulwich College, engraved from the original by "J. Wooding. Published by C. Stalker Aug^t 1. 1789." In this the beard is square cut and rather long, the moustache dark and strong, the face looking almost straight at the spectator. The second engraving is a full-length, and is inscribed, "Edward Alleyn, from the original at Dulwich "published March 1792 by E. Harding, Fleet S^t. S. Harding del^t. T. "Nugent sculp^t." In this, as in the original as it now is, the face is more turned to the left, while the beard is cut close to the shape of the face, the moustache being thinner and lighter than in the other. The only important difference between this latter engraving and the original picture is that the ring is on the fourth, instead of the little finger, and the gloved left hand holding the right hand glove between finger and thumb, is very badly engraved.

"The picture of Joan Alleyn is assumed to be such on the authority of
 " tradition in the College. It bears the inscription, *ÆIS.* 22. 1596; but
 " on the tombstone formerly in the College chapel it was stated that she died
 " on the 28th June 1623, 'being in the 51st year of her age.' The two
 " dates may be reconciled on the supposition that the portrait was painted in
 " the early part of the year 1596, and that she had then already completed
 " twenty-two years of her age, and that she completed twenty-three years
 " before June 28, 1596, and therefore fifty years before June 28, 1623."

These pictures, as has been said, were probably left by Alleyn to the College, but no specific allusion is made to them in his will, and they must have passed under the denomination of "all the wainscots, hangings, pictures, "carpets, presses, tables, chairs, forms and stools in the said College."

In June 1661 it is recorded in the audit book "that the Picture Gallery
 "fell down." This was probably an addition after the Founder's death, as nothing of the sort seems to have formed part of his plan. Be this as it

may, the son of his friend Cartwright supplied the want by his bequest in 1686 of a number of pictures as well as books and other articles, under circumstances which have been fully described in Chapter VII.

These pictures, as well as those of the Sibyls and Kings and Queens of England, were hung in a gallery 77 feet in length by 15 feet 6 inches in breadth, which occupied the upper part of the west side of the quadrangle; but when (about the year 1791) this wing was partially rebuilt, the pictures were removed to the various rooms in and about the College, where they remained until 1870, when they were carried to the Master's house in the new College.

It being felt that while they remained in a private house the public were practically debarred from any use of them, it was resolved in 1885 to appropriate one of the unused wings of the Bourgeois Gallery to this collection, and there they will now be found, with the exception of the portraits of the Founder and other officials of the College, which are hung on the walls of the Board Room. One of the three portraits of James Allen (Master 1721-1746) has been given to the governors of the girls' school founded by him, where it hangs in the reception room.

A catalogue of all the pictures and portraits formerly in the Master's house has been compiled by the Rev. Alfred J. Carver, D.D. (Master 1858-1883), and Mr. John C. L. Sparkes, Principal of the National Art Training School at South Kensington, which is quoted above, and to which the reader is referred for a very careful and minute descriptive history of each picture.*

By Cartwright's catalogue it appears that his collection consisted in his lifetime of 239 pictures: of these, however, he gave away some, his servants stole others after (and perhaps before) his death, and probably some have been since lost or destroyed in various ways, the result being that only 76 now remain at the College.

This catalogue of Cartwright's is so characteristic as to deserve preservation; it is therefore given here almost verbatim.

The consecutive numbers are those of Cartwright—the numbers in *italics* indicate the pictures still in existence:—

TRANSCRIPT OF CARTWRIGHT'S CATALOGUE. (Dulwich MSS. vol. xiv.)

1. A dish of Appricoks in a dish, a closit pece in a gilt frame (giuen in Rothen's dufter).
2. A pictur of a naked woman & an ould woman houlding up y^e courtin & y^e sheet up, in a gilt frame, a closit pece don by dob. 10^l. a skets by dobson.
3. y^e pictur of uennus & cupid & cearis & baccus in a gilt frame a smal closit pece. 20^l.

* The descriptions of the pictures here given are chiefly taken from this source.

4. a wich a coungring with a kittell, in it, & a gotte & other spirits about her in a gilt frame a closit pece. 10^l.
5. queen marys pictur in oring coluard bodes, after von dik, coped by oul Rome in a gilt fram a closit peece. 5^l.
6. a man Reading of a ballet & a man taking a pipe of Tobacco, with a payre of Tongs in his hand with a cole of fier in um a smal closit pece in a gilt frame by hemskirt. 1^l.
7. a landscif of flusshers in a gilt frame a small closit peece.
8. a boys head, Red hayrd in a gilt frame a smal closit pece.
9. a cott of armes in a gilt frame. Closit pece. 5^s.
10. y^o print of erasmus in a black frame filited with gould. 5^s.
11. a print of our Lady & Sauieur, 5 figuers more, in a black frame, closit pece. 1^l.
12. y^o print of Thomas howard duke of Norfolk a closit pece in a gilt frame. by Hollbaine.
13. y^o pictur of a duch woman with her cot of Armes, in a gilt frame, a closit pece. 3^l.
14. a head with a busshey beard in a gilt frame a clossit pece. 10^l.
15. a head in a plain band, in a gilt frame, a closit pece. 3^l. by John Payn.
16. a head of a boy a sleepe in a gilt frame a closit pece. 5^l.
17. a creon of a mans head with a beard in a black frame couered with a glass a clossit pece. 3^l. by grinhill.
18. a creon of pallas head in a black frame couered with glass a closit pece. 3^l. by grinhill.
19. a creon of a mans head in a black frame couered with glass a clossit pece. 2^l. by grinhill.
20. a Landscife painted on glass in an ebony frame a small closit pece. 3^l.
21. a Landscife painted on glass in an ebony frame a small closset pece. 3^l.
22. y^o pictur of Judath & holifirnis painted on copp^{er} in an ebony frame a closit pece. 3^l.*
23. 2 men taking of Tobacco, a full pot & a pan of coles on a barrⁿ in a gilt frame. a closit pece. 5^l. by hemskirt.
24. three men at cards & 3 Looking on, in a gilt frame on a bord a closit pece by hemskirt. 5^l.
25. a pictur of a westfalia gamon & a blue Juge in a gilt frame, on a bord. 3^l.
101. 26. Thre Duchmen on with a Juge in his hand taking a pipe of Tobacco & 2 men Looking on him, a Lather, a barrell, a cherne, a kittell, a Lanthorne & other Things in it, on 3 quarters clout pasted on a bourd in a gilt fram. 5^l.
102. 27. a duchman in a Red wascot taking tobacco a fire before him, a parsell of kettells, cherns & earthen pichards in 3 quarters clouth in a gilt frame. 5^l.
99. 28. an ould pictur on a bord with soulders a horseback in a gilt frame dun by Brueghel. 5^l.
29. Appolos head don with a pen in a gilt frame a closit pece. 1^l.
30. a skets of pilat giuing our Saviour to y^o Jews, in a browne frame, don on a bourd a closit pece, don by Tintoret. 10^l.
31. a woman in her Smok in a gilt frame a closit pece on a bord. 4^l.

* Note by a later hand, "The warden has this."

32. a boy in a Red mantell ove his shurt on a bourd, in a gilt frame don by Johnson a closit pece.
33. A soulder & a wench on a bourd in a gilt frame a closit pece. 7^l.
34. a pictur of our Sauour & his disipells at his last supper, on a bord, in black & whit in gilt frame. 6^l.
35. a paintin of y^e king of france his head Luege y^e 13th, to be seeing in a sellinder glass put in y^e midst of y^e bourd & looke in y^e glasse, you may see him perfetly, a closit pece on a bourd without a frame. 8^l.
36. an other painting of on going ouer a brige, set y^e glass in y^e midst & you may see it, painted on a bourd without a frame, closit pece. 2^l.
37. A drawing on a blue papper, pastid on a bourd, has y^e figur of a minster drawne, set y^e glass in y^e midell of it & you may see, a closit pece. 1^l.
38. a painting on a bourd of our kinge a horseback set y^e glasse in y^e center & you may see it plaine a closit pece. 2^l.
39. an other bourd with 4 seuerall things to see with y^e silinder glasse set in y^e midst of y^e bourd, y^e first is a rabbet & other is Acteon with horns, on y^e other sid of y^e bourd is an Asses head with a halter on his nose, y^e other is a hand spanning a closit pece. 10^l.
40. 2 bords tyde together, in one of them is a woman's head, in y^e other bourd
41. is painted 2 naked figuers in a tente & an ould woman houlding up y^e end of y^e tent, there is in on of thes bourds a thing to pull out, & at y^e end of it a brass playt with a Lickell hole in it, Look through that hole with on eye & winke with y^e other & let on hould y^e bourd streat & euen to your eye, & put y^e hole close to your eye that is open & you may perfilty see them, this thinge with y^e hole in it serues for y^e other pictur of y^e head to see that so. 4^l. 1^l.
42. Our Sauour head in black & whit on pastbourd in a black frame a closit pece. 10^s.
43. To fryers on wod cut out. 3^s.
44. Anould manshead in a Red Cap with a Longe whit beard, anould cractthing. 10^s.
45. A whit cow on a bourd in a gilt frame a closit pece. 2^l.
46. a Red bull on a bourd in a gilt frame. 2^l.
47. a woman milking of a gote a woman by her & gots lying down, on a bourd in a gilt frame (M^r. havt has). 2^l. 10^s.
48. a gote on a bourd in a gilt fram a closset pece. 2^l. 10^s.
49. A horse tyd to a stub of a tree in a gilt frame. 2^l. 10^s.
50. Tow Swans in y^e watter in a gilt frame. 2^l. 10^s. (M^r. Cowley.)
51. y^e pictur of a woman halfe-naked & a young man brought to her by another woman, in a gilt frame a closit pece. 1^l.
52. A cobbler taking a pipe of tobacco a whit Juge befor him in a gilt frame a smal closit pece by hemskirt. 1^l. 10^s.
53. A woman taking a pipe of tobacco a glass of strong watter by her in a giltye frame a smal closit pece hemskirt. 1^l. 10^s.
54. to reading a ballet in a gilt frame a smal closit pece by hemskirt. 1^l. 10^s.
55. A fryer with a tobacco pipe in his hand in a gilt frame a small closit pece. hemskirt.
26. 56. buship Lauds pictur in black & whit in a giltye frame a small closit pece. 1^l.*

* Pencil note "in y^e Library."

57. A Rope of frute in a gilt frame a smal closit pece. 1^l.
 58. tow men, on with a Juge in on hand & a Romer of Rinish wine in y^e other, in a gilt frame a smal closit pece. 10^s.
 59. A fox head in a gilt frame a smal closit pece. 10^s.
 60. A fryer Reading in a book a small closit pece in a gilt frame, hemskirt. 1^l.
 61. a woman with a glass of brandy in her hand in a gilt frame a smal closit pece don by hemskirt. 10^s.
 62. hemskirts head don by himselfe in a gilt frame a smal closit pece. 10^l.
 63. A fryer confessing of a man in a gilt frame a small closit pece, don by hemskirt.*
 64. 2 naked boys & 5 figuers more in it a Longe narrow pictur in a gilt frame on a bord, very ould. 1^l.
 65. A shoke doge in a gilt frame, don by fuller. 3^l.
 66. A schulmaster & a schoul mistris & boys & girles a there books on a bound in a gilt frame by hemskirt. 6^l.
 123. 67. A hare hanging upon a huk & 2 birds on a Table in a gilt frame on 3 quarters cloth. 3^l.
 12. 68. y^e Duke of yorke in a gilt frame, on 3 quarters cloth. grinhill. 2^l.
 105. 69. A great Larg pictur of Sumer, An ould man & a boy shering sheep, a cart of corn & 2 Repers 2 women & a boy at diner in a black & gould frame, After Bassan. 15^l.
 104. 70. A greate Large pictur of y^e Spring, in it 2 gotes a man & a woman milking them, a man with 2 gray hounds a Spanell & a hare on his shoulder & a man with a tube in a black & gould frame don after Bassan. 15^l.
 91. 71. A soulder with a Juge in his hand Looking in it a lofe of bread by him in a gilt frame on 3 quarters cloth. 5^l.
 67. 72. A woman in a blue mantell, in a gilt frame on a 3 quarters clouth don by housman. 5^l.
 73. A pictur of a Cods head & other fishis on a tabell & a red Juge in it, a Large pece in a gilt frame. 5^l.
 74. A man on his death-bed, a doctor & nabors Round a bout y^e bed on a 3 quarters clouth in a gilt frame don by hemskirt. 15^l.
 121. 75. A henne & 5 chikins on 3 quarters clouth in a gilt frame. 7^l.
 11. 76. King Charles y^e Second on 3 quarters clouth in a gilt frame. 2^l.
 19. 77. Altheas pictur her hare desheuell on 3 quarters clouth in a gilt frame. 2^l.
 32. 78. myfirst wifes pictur Like a Sheppardess on 3 quarters clouth in a gilte frame. 3^l.
 106. 79. A great Large pictur of Auttum, in it on Treding grappes in a Tub, 2 oxon drawing a carte, a young man & mayd gathring graps of y^e uine, a spanell, A woman taking up 2 baskets of grapps, & a man pouring out grapps out of a basket, in a black & gould frame. After Bassan. 15^l.
 107. 80. A great Large pictur of winter, in it a man cleuing of wood, A bucher dressing a hoge a woman spining by y^e fiere, 2 men Lodging an Asse with wood, In a black & gould fram, don after bassan. 15^l.
 81. An angill apering to y^e Sheppards with gotes & Sheppe, on 3 quarters Clouth in a gould fram.
 78. 82. Joseph, & Mary & our Sauour, Joseph Leading an Asse & our Lady & our Sauer on it in 3 quarters Clouth in a gilte frame. 3^l.

* Pencil note "in y^e Library."

108. 83. A great Large pictur with a great hous, an ould man sheering a sheep with Sheepe & gotes in it & a woman milking a gote, with 2 oxon & a cart of corne. 6^l.
84. A Large pictur of Joseph & y^e Buttlers wife naked on a bed, in a black frame. 5^l.
127. 85. A Long pictur of grapps peaches & other frut with a Squerell in it, in a gilt frame. 3^l.
126. 86. A Long pictur of frut & a bird in it, in a gilt frame. 3^l.
128. 87. A Long pictur with flouers, a Lobster an oring, a glass of rinish wine a Lemon cut, a Chinia dish with grapes & appels in it, a Chinia bason full of Straberys, in a gilt frame. 3^l.
88. A wind mill & a barge in a Round black frame a small closit pece. 3^l. (mis Butler in Cornhill.)
89. our Ladys head on a bord without a frame a very small on. 2^l.
90. An ould man in a gown Linnd with firr, a book his hands a crosse, a greay beard, on a bord in a gilt frame. 10^l.
59. 91. S^t Jerom in Red Leaning of his hand 3 quarters clout in a gilt frame. 1^l.
92. A naked woman Looking in a glasse Cupit houlding it in a gilt frame. A great large pece. 15^l.
9. 93. Quenne mary in a whit sattin gown a Larg pece in a gilt frame. To y^e knees. 5^l.
8. 94. Kinge Charles y^e first in a slashed dublet, & a ruffe a Larg pece in a gilt frame. To y^e knees. 2^l.
27. 95. grenhills pictur to y^e knees in Read dun by himselfe. grinhill. 5^l.
3. 96. y^e duchiss of Suffouck on a bourd in a white gown Imbrothred with pearls in an ould fashiand frame. To y^e knees. 5^l.
63. 97. A pictur of a woman in an Imbrodred gown & in a Ruff on a bord. To y^e knee. 4^l.
98. S^r gorge Sands in Trunke house to y^e knee on a bord. 10^s.
81. 99. our Sauuiour & John after uandik in an ould fashiond fram. 4^l.
18. 100. Colonell Louliss his pictur in armor in a great gilt frame, 3 quarters clouth. 3^l.
2. 101. y^e earle of exitors head y^e ground of it gould in a black frame. 5^l.
102. a woman head with her hands a Cross in a gilt frame. 4^l.
- ? 68. 103. a womans head on a bord, dun by M^r burbig y^e Actor in an ould gilt frame. 3^l.
57. 104. S^t Palus head in a black frame filited with gould. 1^l.
48. 105. M^r burbig his head in a gilt frame a smal closit pece. 5^s.
106. M^r Demetrus pictur in a gilt frame don by gild... 10^s.
61. 107. a doctars head with a veluit cap, a gray beard in a blake fram filited with gould. 5^s.
5. 108. Mickill darayton y^e poet in a black frame. 15^s.
49. 109. M^r Slys pictur y^e Actour in a gilt frame. 1^l.
69. 110. A girles head down by fuller in a blue bodys in a black frame filited with gould. 5^l.
83. 111. Our Sauuiour & 2 Soulders in a gilt fram 3 quarters clouth. 5^l.
112. Mis Wessons pictur in a black frame filited with gould 3 quarters clouth. 1^l.
113. M^r Wessons pictur in a black frame studed with gould 3 quarters clouth. 1^l.

114. M^r brutnalls pictur in a black frame filited with gould, 3 quarters clouth. 2^l.
 115. My Last wifes sisters husband in a black frame, 3 quarters clouth. 10^s.
 33. 116. My Last wifes pictur, with a black uaile on her head in a gilt frame 3 quarters clouth. 3^l.
 65. 117. A man with a balld head in a gilt frame in 3 quarters clouth don by grinhill. 10^l.
 13. 118. quenne mary in blue in a gilt frame 3 quarter clouth. 2^l.
 70. 119. A woman in a green mantell a chaine of pearle on her head on a bord in a black frame filited with gould. 2^l.
 34. 120. My last wifes sister in a black frame 3 quarts clouth a book in her hand & in a hatt. 10^s.
 20. 121. My Lord Louless in a red mantell, in a black frame 3 quarters clouth. 1^l.
 124. 122. A pictur of a glass of Clarit, a Lofe of Bread an oring 2 apprecoks a Romer of Renish wine on a Tabell couered with a green clouth in a gilt frame, 3 quarters clouth by M^r walton. 2^l.
 87. 123. Shusana & y^e 2 elders in a gilt frame a closit pece. 2^l*
 103. 124. a company of Jepseys in a black frame filited with gould. 10^s.
 100. 125. a pictur of men & woman a slidinge a winter peace in a broune frame on a bord. 1^l.
 126. a glass of flowers on a bord in a black frame a closit pece. Baty Scott. 5^s.
 127. a cæsars head on a bord in a black frame filited with gould a small pece. 5^s.
 128. a Landscife on a bord, a windmill & a waggon & pssengers in it, in a gilt frame. 5^s.
 129. mirery killing argus in a black frame filited with gould a small closit pece. 10^s.
 98. 130. Tyme & Truth & a house on firr & one wonded on y^e ground on a bord in a black frame.
 131. a sea scife with a tower on a Rock on a bord in a black frame a small on (mary scot y^e child has). 2^s.
 132. a very smal ould mans head with a Long white beard in a black frame a closit pece. 2^s.
 133. a Shok doge in a blue frame. 5^s.
 134. A Land scift with a hous on a hie clift in a gould frame a closit pece. 1^l.
 135. A Landscift of y^e sunn seting a closit pece in a gilt frame. 15^s.
 136. a Landscift with a windmill & ———, with a barge sayling, in a gilt frame a closit pece. 2^l.
 137. A pictur of a Romer, in clays of gould & a Lemon in it & graps in a gilt frame a closit pece.
 138. a Longe pece of mossis passing y^e Red, & pharow pershuing Them, in black & white a closit pece in a black frame filited with gould (a skits). 10^l.
 139. A Landscift painted on Copper of our Sauieur & y^e woman that gethered sticks on y^e Sabboath day; in an eboney frame a Clossit pece. 1^l. 10^s.
 140. S^t Jerom in black & whit in a black frame a closit pece. 1^l.
 141. a deaths head in a black frame. 10^s.
 142. an oule in a black frame filited with gould. 15^s.
 143. 2 appells & 2 birds in a black frame. 1^s.
 144. our Lady & Sauieur in a black frame. 1^l. 10^s.

* Inserted in a later hand, "In y^e Master's room."

80. 145. Joseph & mary & our Sauour & S^t John with a bird in his hand in a blacke frame. 2^l. 10^s.
 146. Three naked boys a soulder & 3 women in a black frame. (M^r Butler has for Copy Scot.)
 147. an ould mans head painted on pastboard with a Long Red beard in a black frame. 5^s.
 52. 148. Tom bonds pictur, an Actour, in a band Rought with Imbrodery bared neck on a bourd in a black frame, very ould. 2^s.
 149. a camill on a bourd in a black frame. 3^s.
 150. ms blundall in an ould fashand dresse in a black & gilt frame on a 3 quarters clouth. 10^s.
 90. 151. Uenus & Adonis & 2 sayters, on pickin out a Thorne out of his fout, in a black frame, on a board a small on. 15^s.
 152. A cassell on fire in y^e watter with men Rowing in bots, in a black frame. 10^s.
 153. A great Large Landskift with a faire house & Trees & a barge with a flage, whit & Red & 2 watter men & gentellmen & women going into it (giuen to Sargent Ramone).* 3^l.
 154. S^t Johns head in a charger on 3 quarters Clouth in a black frame. 5^s.
 155. y^e earl of essix Lying dead in his bead his crown on his bossom in a black frame. 5^s.
 66. 156. M^r. dirges wife in a hat & ruff in a black Fram 3 quarters Clouth.
 157. Caesar a horsback in a black frame 3 quarters Clouth (steuen scot y^e child).
 158. Cleopatra naked with a uipor in her hand on a bord in an ould frame.
 159. A Large Seasckift with a watch hous in a black frame an ould tourn Thing. 5^s.
 160. hodsons cot of armes in a black frame 3 qua clouth. 5^s.
 161. A pictur of gally potts & a deaths head & glass in a marbelld couler frame 3 quarters clouth. 1^l.
 162. A round sheld with a cote of Armes on it. 1^l.
 88. 163. An angell, a flying, on a bourd in a black frame. 10^s.
 84. 164. our Sauour with a Crown of Thorns 2 Solders & on in a red habet, with a Long beard a Larg pece to y^e knees in a black frame. 3^l.
 15. 165. S^r Will. Loulass on a bord to y^e knees with a chan of gould about his neck, in a Ruffe & truncke hous in a black frame. 2^l.
 51. 166. M^r pirkinis y^e Actour in a 3 quarts clouth in a gilt frame. 2^l.
 50. 167. master feilds pictur in his shurt on a bourd in a black frame filited with gould an Actour. 10^s.
 30. 168. ould m^r Cartwright Actour in a gilt frame. 15^s.
 31. 169. young m^r Cartwright Actour in a gilt frame. 15^s.
 170. an Indian woman taking of her Child out of a bed, on a bourd, a Large on in a gilt frame. 7^l.
 171. a Child in bead, with Red curtins painted on a bord with an ould fashind frame. 10^s.
 92. 172. a he foole, with a candell & a shee foole with a mous-trap a Long Large pictur in a black frame. 2^l.
 173. The sheld with a Red Crosse on it.
 4. 174. S^r martin furbushers pictur in a whit dublet & a great Ruff, with a gould chaine in a black frame. 10^s.

* Probably Thomas Raymond of Gray's Inn. Called to the Bar 1650; Sergeant, 1677; Baron of Exchequer, 1679; died, 1683.

95. 175. A pictur of a bag piper, & a man corting his Lass on a large bord, in a black frame filited with gould. 5^l.
96. 176. 2 naked women, an ould man with a Long whit beard & red mantell a doge & a Tritan. a Large pictur on a bord in an ould fashand frame filited with gould. 7^l.
177. A Larg Landscife in a black frame filited with gould a very ould on.
178. A Long pictur of 3 or 4 fooles won with a catt an other with with (*sic*) a balk, an other with an oul with out a frame. 10^s.
17. 179. Loulass his father in black Armor & a red Scarfe on a bourd, in an ould black frame.
16. 180. Thomas Loulass his pictur with a hare Lip on a bourd in a black frame. 10^s.
14. 181. Sargant Loulass in his red Robes, on a bord, with his cot of armes, in a black frame filited with gould. 10^s.
182. my Lady Loulass with a little monkey in her armes on a clouth to y^e knes in a black frame. 1^l.
183. A he & a shee fools Loking in a Looking glass in a black frame 3 quarters clouth. 10^s.
184. y^e ould man that dimolesht y^e earle of Essx in y^e aby of west minster with a hattich in a black frame.
122. 185. a great pictur of fowls & a Rabett & a hare in a gilt frame a uery Long Large pece. 12^l.

[One sheet missing, Nos. 186–209.]

210. a bunch of grapes, a Lemon, cherreys & figges, in gilt frame a Closit pece (mis Archyoul has). 10^s.
79. 211. Josiph & mary & our Sauour on a clauth pasted on bourd. 5^l.
212. Seaser a horsback in a gilt frame on a bord a closit pece. 1^l.
117. 213. a smal seascift in a gilt frame a closit. 1^l.
214. a small seascift don by peteres in a gilt frame a closit pece. 5^l.
215. a chappell pece belonging (erased) with shutters to sumthing broking (m^r Keate has home againe). 2^l.
116. 216. A seascift of a calme with ships & a wharfe in 3 quarters Clouth in a gilt frame. Castros. 3^l.
217. a prity Long seascift of a barge full of passingers & 2 wharfs with men on Them in a gilt frame. Castros. 3^l.
218. A seascift sumthing calme with ships & wharfe in a gilt frame. 2^l. 10^s. Castros. (m^r hart has.)
114. 219. a seascift ruffe watters with shippes & wharfe in a gilt frame. 2^l. 10^s. Castros.
220. a night seascift. Castros. 2^l. 10^s.
221. A seascift of a ship on a bord in a black frame filited with gould.
222. a large seascifte of tenn foot hie & nine foot broud with with (*sic*) shippes & a man of warr under sayle, a Ruffe watter, a whayle & a Long bot with 4 men in it rowing, & a wharfe with seuerall figers on it. 34^l. pounce. Castro.
223. a Large seascift of 2 yards Long, & a yard & quarter deep, in it 4 Long bots, a great hie gate a wharfe, & Ladys & gentellmen going into one of y^e Long bots, & a galley with passengers y^e cullers of galley are greene red & whit a calme watter, in a gilt frame. Castro. 10^l.

118. 224. a Large Seasift of 2 yards Long & a yard & something more depe, shippa a block hous a wharfe & an Ale house, a Ruffe watter in a gilt frame. Castro. 10^l.
113. 225. A galley of Malta y^e coulers Red with whit crosses full of passingers, a yard & a halfe Long & a yard deepe in a gilt frame. Castro. 7^l.
226. A sea-sift of 2 Shipps, a galley full of Soulders a bot with 4 men in it a wharfe, a Large hous & church, painted on a clouth a yard & 3 quarters Longe & a yard deepe. Castro. 6^l.
115. 227. A Large pece of a sea fight in a gilt frame an elle deepe & a yard broud. Castro. 4^l.
109. 228. A Large Landscift don by Streeker in a black frame, fileted with gould. Castro. 3^l.
229. A great pictur of my Lady blundall with a doge by her. 10^s.
230. A pictur from head to foot of my Lord of dorset in a black frame. 2^l.
231. A pictur from head to foot in black, with a counsellors staffe, in a black frame. 2^l.
232. An ugley womans pictur from head to foot in a black frame. 5^s.
233. A great Large pictur of martha & mary & our Sauieur, martha with a spitt in on hand & a foule in y^e other, a basket with rates in a black frame. 2^l.
29. 234. my pictur in a black dress with a great doge.
235. A sea scift of 3 quarters cloth in a black frame dun by Castre.
236. A sea storme in a gilt frame 3 quarts cloth.
129. 237. A pictur of fruts round in form of a sheeld in a gilt frame 3 quarters cloth. 3^l.
238. a house & gardin with smal figer, in a gilt frame a closit pece. 4^l.
239. a cassell on a green in a gilt fram (m^r Scot has).

Although some of the Cartwright and other pictures outside of the Bourgeois Collection may not possess great artistic excellence, even these in most cases have peculiarities, either from their history or want of history, which give them an interest of their own; for example, No. 62, the "Portraits of a Man and a Woman, in an emblematical picture," attributed to Lucas de Heere, thus described by Canon Carver:—

"This picture is in a black frame, and contains the portraits of a gentleman and lady, three quarters length. He has a beard, a small ruff and a ring on his fore finger; she is in a close dress, a small ruff, close head dress, with rings on the middle and little finger of the right hand and on the little finger of the left hand. Between them is a tomb, below which lies a corpse, naked, except a cloth round the middle. The head of the corpse rests on a sheaf of corn, and ears of corn lie beneath the body. On the tomb is a skull, on which rest the gentleman's left hand and the lady's right, which are joined. Above this is a burning candle in a candlestick, on each side of which is a wool pack and a brass or metal vase filled with flowers.

Over the gentleman are arms in four quarterings. On the tomb, by his side, the arms of France and England quarterly.

Over the lady, in the upper part of the picture, arms in six quarterings.

Over the gentleman's head, ætatis suæ. 47.

Over the lady's head, ætatis 28.

Over the joined hands, W. I. 'Behowlde ower ende' I. I.

Under them, on the face of the tomb,

'The worde of God

Hathe knit vs twayne

And Death shall vs

Devide agayne.'

On one side of the tomb, 'ANº,' on the other '1560.'

The candle stands between these words, 'Thus consumythe — — ovr tyme.'

On each wool-pack is a merchant's mark. On one, 'anº I,' on the other 'anº X.'

On each wool-pack is written, 'Good Semster P. daell.'

At the bottom of the Picture, 'Lyve to dye and dye to lyve etarnally.'

Round the frame, in gold letters, beginning at the top,

'When we are deade and in ovr graves,

And all owre bones are rottvn,

By this shall we rememberd be,

When we shulde be forgottvn.'

The size of the picture is 2 ft. 7 $\frac{3}{4}$ in. \times 3 ft. 4 $\frac{1}{4}$ in."

Again, the sea-piece, No. 113, described by Cartwright as "A Galley of Malta yº coulers Red with whit crosses full of passengers, a yard & a halfe long & a yard deepe Castro;" and No. 118, described by him as "A large Sea Scift of 2 yards long & a yard & something more depe, "shipps, a block hous, a wharfe & an ale house, a Ruffe watter Castro," are full of life and movement, and are no doubt good illustrations of the ships of the seventeenth century, although all knowledge of the painter "Castro" has utterly disappeared.

The portrait of John Greenhill, the artist (1649-1676), painted by himself, is also a noticeable work in this collection, as are the various portraits of the Lovelace family. There are also portraits (frequently engraved) of well-known actors of the seventeenth century, viz. Richard Burbage, William Sly, Nathaniel Field, Richard Perkins, Tom Bond, and William Cartwright. To these were added in the present century portraits of Charles Kemble and of Mr. and Mrs. George Bartley.*

Mr. Robert Seymour, in *A Survey of London and Westminster and Parts adjacent*, 1734, says, describing the College:—

In the room where they (the Churchwardens) dine are several antient pictures particularly of the Founder, his Father, his Brother, his wife, and his mistress, who by the picture was a most beautiful woman. There is likewise a picture of Prince Henry, eldest son of James I., and several old heads of the Kings of England, &c. &c.

* Bartley was the son of a cook in Dublin Castle. He came out as Hamlet, but is now the acknowledged representative of Falstaff. He married Miss Smith.—*An Old Man's Diary*, by J. Payne Collier, part iii. p. 47. 1832.

Joyning to this room is a gallery in which are likewise some good pictures, especially one of S^t Jerome. This long Gallery is seldom made any use of but upon the election of a Warden, and then there is commonly a Ball in it. (See page 272.)

Good Mr. Seymour must have been imposed upon as to the father, brother, and mistress of the Founder; there is no record of any such pictures ever having been in the College, and as to the last-named, the imputation on the character of Edward Alleyn seems to be without any foundation whatever.

In the *Gentleman's Magazine*, 1745, mention is made of "the picture of a boy formerly belonging to the College drawn by himself, and that without the assistance of any master in the art of painting. The piece is generally allowed to be very well done." No picture now in existence at the College tallies with this description, unless it be No. 73, in which case the "boy" must have painted himself after he had become a man.

THE BOURGEOIS COLLECTION OF PICTURES.

After the Founder himself, by far the greatest benefactor to the College was Sir Peter Francis Bourgeois, who in 1810 made a will by which he left the whole of his pictures, with £12,000, to the Master, Warden, and Fellows of Dulwich College. It has been stated that he did this at the suggestion of John Philip Kemble; it is quite possible that this was the case, as he was a friend of Mr. Desenfans, but it also appears to admit of no doubt that about the time of the death of Noel Joseph Desenfans, the Master, Warden, and at least some of the Fellows were on friendly terms with Sir Francis Bourgeois as well as with Mrs. Desenfans, who both lived at No. 11 Charlotte Street, Portland Place, where the body of Mr. Desenfans was preserved in a sort of mortuary chapel or mausoleum in the back garden. Prayers were statedly said in this place of temporary sepulture, and the Reverend Robert Corry (usher 1806-1812, schoolmaster 1812-1813), one of the Fellows of Dulwich College, was, as appears from Sir P. F. Bourgeois's will, the chaplain. Tradition has it, that he, backed by the Master, suggested the bequest; it must, however, be admitted that there is nothing whatever now remaining on record at the College to corroborate either theory.

The greater number of the pictures in the gallery were collected, before 1807, by the celebrated picture dealer, Noel Joseph Desenfans, for Stanislaus, King of Poland. They were originally intended for a National Gallery at Warsaw; but the subsequent misfortunes of the king, which ended in the dismemberment of the Polish kingdom, prevented the furtherance of the design; after his death in 1798, the pictures were left in possession of the collector.

"Sir Peter Francis Bourgeois was born in St. Martin's Lane, London, 1756. He was descended from a Swiss family of good position, who came to reside in England in consequence of reverse of fortune. Bourgeois's father carried on the trade of a watchmaker, and, as he became rich, determined to place his son in the army. This intention was strengthened by the promise of a commission by Lord Heathfield, and young Bourgeois attended drill, parade, and reviews. At this time, however, the influence of Noel Desenfans had decided his choice: he determined to be a painter; and receiving the approval of Sir Joshua Reynolds and Gainsborough for some early productions, he placed himself under the instruction of Louthembourg, where he quickly acquired sufficient knowledge to bring him some reputation as a painter of landscapes, battle-scenes, and sea-pieces. In 1776 he left England to travel through Italy, France, and Holland, and on his return exhibited several of his works in the Royal Academy. Having visited Poland while on his journey, he was favourably received by the King, who conferred on him the Order of Merit, which knighthood was subsequently confirmed by George III. In 1788 Sir Francis was made an Associate of the Royal Academy, and in 1793 he was elected a full member; and shortly after, while yet in the full vigour of life, he retired from the active pursuit of his profession to occupy himself in the arrangement of the collection of pictures bequeathed to him by his friend Noel Desenfans. The death of Sir Francis Bourgeois was caused by a fall from his horse, January 8, 1811, and his remains are deposited in a mausoleum attached to the Dulwich Gallery, with those of his friends Mr. and Mrs. Desenfans. Bourgeois was chief landscape-painter to George III., and had received the appointment of painter to Stanislaus, King of Poland."—Mr. Sparkes' Catalogue, p. 18.

Upon the subject of the families of Bourgeois and Desenfans the following information was given in 1874 by Mr. Stephen Tucker, Rouge Croix :—

AS TO SIR PETER FRANCIS BOURGEOIS.

There are no arms or pedigree registered in the Herald's College to Sir P. F. Bourgeois.

His original will has been examined in the Prerogative Office, in the hope of finding a seal of arms, but none such exists.

He never received any British knighthood.

On 12th April 1791, the Royal License issued to him, and is here recorded, giving him permission to accept the knighthood and medal called "*Merentibus*," conferred on him by diploma dated Warsaw, 16th February 1791, by Stanislaus Augustus, King of Poland. In this license Sir Peter is described as a member of the Royal Academy, "whose ancestors were formerly of the Canton of Berne in Switzerland."

Upon the granting of such a license, it was then (though it is *not now*) the custom to assume the prefix "Sir," as if a British knighthood had been conferred. I find the following notice of the death of his father: "Died 9 Sept. 1793 at Yverdun, in "Switzerland, whither he had retired many years ago, Isaac Bourgeois, Esq., father of "Sir Francis Bourgeois, of the Royal Academy, and uncle to Colonel Bourgeois of "Yverdun. He was a native of England, of Swiss extraction."—*Gent's Mag.* 63, part ii. 958.

In foreign armorials I find entries of eighteen or nineteen coats of arms to the name of Bourgeois, though none localised at Berne. It is highly probable, however,

that Sir Peter descended from one of the arms-bearing families of his name, and if so, would be entitled to a coat which my ignorance of his ancestry prevents my identifying.

A portrait of Sir Peter was published (1812) in *Cadell's and Davies' Picture Gallery*.—*Gent.'s Mag.* 82, part i. 246.

Herald's College, 3rd August 1874.

STEPHEN TUCKER,
Rouge Croix.

AS TO NOEL JOSEPH DESENFANS.

There are no arms or pedigree entered to Noel Desenfans or to any one of his name in the Herald's College.

The only record we have of him is his marriage with Margaret, sister of Sir John Morris, of Clasemount, County Glamorgan, Bart., to which is added the note that they were both living in 1806, and then had no issue.

Margaret Desenfans could have used the arms of Morris in a lozenge before her marriage, and could have impaled them with Desenfans, as his wife or widow, if he had had arms to impale them with. As, as far as I know, he had not, her shield could only be represented with the dexter blank, and the sinister "Morris." The original will of Noel Desenfans in the Prerogative Office has also been examined, on the chance of discovering that he used arms for his seals, but there are none.

In 1794 "Noel des Enfants" was approved as His Polish Majesty's Consul-General in Great Britain.—*Gent.'s Mag.* 64, part i. 390.

If Desenfans (or des Enfants) were a name peculiar to this gentleman, there might be some ground for the tradition of his illegitimate birth, although I confess I do not see anything in the import of the name to warrant the supposition. Such names as Fitzroy (fils du Roy) and Fauntleroy (Enfant le Roy) are obvious enough; but *des enfans* appears to me to be the very reverse of such indications.

The best argument, however, is that the name Des Enfants (and des Enffans) is very distinguished and ancient. They were Counts, not only in Austria, but in Brabant, and noble in Hainault. The main bearing of the des Enfants was an oak tree on a white field; and this, with certain differences, appears on all their shields.

I see as much reason to infer the descent of Noel Desenfans from the Austrian Counts, as I do to adopt the unsupported tradition of his illegitimate birth simply because his parentage is unrecorded.

Herald's College, 3rd August 1874.

STEPHEN TUCKER,
Rouge Croix.

"Noel Joseph Desenfans was born at Douai in 1745; and it is said was brought up in a foundling institution. He was educated partly at Douai, and partly at Paris. He commenced life as a writer, but before he was thirty years of age came to London as a teacher of languages. He had considerable taste, and much love of the fine arts, and often attended picture sales. At one of these he bought a small picture, by Claude, so advantageously, that when he sold it to George III. for £1000, the profit he made induced him to turn his whole attention to picture-dealing. His friendship with the Prince Primate of Poland, brother to Stanislaus, was the means of his obtaining a commission from that monarch to purchase fine pictures. He was made Consul-General for Poland, in England. In 1802 he found there was no probability of his

being repaid for the pictures he had bought; he issued a catalogue of the pictures, which he then tried to dispose of by private contract. Of the 188 pictures in his catalogue, only 39 are in the present Gallery; but he added to his collection considerably between 1802 and 1807. He married Margaret Morris, sister of Sir John Morris, of Clasemount, Glamorganshire. In 1799 he published a plan for the advancement of the fine arts in England, by the establishment of a National Gallery. If the scheme was carried out, he offered to contribute liberally to it in pictures and in money. He died on July 8, 1807; and by his will, dated October 8, 1803, he left the whole of his collection to Sir Francis Bourgeois, R.A."—Mr. Sparkes' Catalogue, p. 107.

Mr. Desenfans published—

A Descriptive Catalogue (with remarks and anecdotes never before published in English) of some Pictures, of the different Schools, purchased for His Majesty the late King of Poland, which will be exhibited early in 1802, at the great room, No. 3 in Berners Street, the third door on the right from Oxford Street. By Noel Desenfans, Esqre., late Consul-General of Poland in Great Britain. Two vols., 1802.

Vol. I. contains the Italian, Venetian, Spanish, and French Schools; Vol. II. contains the German, Flemish, Dutch, and English Schools.

Then follow the conditions of sale, and an index to the Catalogue of 188 pictures.

The introduction commences thus:—

It was in 1790, immediately after the French Revolution at that epoch, when the emigrant nobility brought into England their most precious effects to be disposed of, that Stanislaus Augustus sent here a Commission for purchasing a collection of pictures, in order to add some to those His Majesty was already possessed of, and to present the different artists in Poland with the other part, as models and specimens of painting; for His Majesty having a most refined taste of the fine arts, was fond of them, and had at heart their rise and progress in his country. In consequence, it was recommended to us to act with such caution as to purchase none but originals, and the fine pictures of the different schools, when we should meet with them, at a liberal but not extravagant price, and it is on that principle that they have all been gradually purchased, both at public sales and by private contract. . . . As His Polish Majesty was particularly desirous of possessing none but pure pictures, we were also instructed, to prevent any damage, not to have them cleaned, which, as the visitors of the Exhibition will see, has been punctually observed, with the exception of a few which, after they were bought, were found to have been painted upon, although we had used the best of our knowledge against purchasing such. Fortunately, they had been so without necessity, and are now an ornament to the Collection.

The public affairs of Poland were much deranged, and the Empress of Russia, as well as the King of Prussia, had already invaded the Polish territories, when this Collection, tho' far advanced, was yet far from being compleated. However, we went on in our pursuit, to render it worthy of a Sovereign, or, at all chance, of an Exhibition; and it was with that view that we continued to make our purchases to the very last spring, when it was expected that the late King of Poland's family would send for the Cabinet, at which time some of our friends, being desirous to see it before the exportation, saw about half of the pictures, as they could not be all shown for want of room, etc. etc.

But previous to that epoch, and soon after His Majesty's demise, we applied to the British Government for their protection, and interference on our behalf with Paul, the Emperor of Russia, that as principal possessor of the Polish estates, and bound, of course, to discharge their and the late King's debts, His Imperial Majesty would be pleased to take the Collection, and reimburse what it had cost, or to defray the expenses of a public sale by auction, and us of our losses, if any were sustained. As soon as Lord Grenville, then Secretary of State for Foreign Affairs, had perused our memorial and the different letters of His Polish Majesty's Prime Minister on the subject of this Collection, his Lordship sent them to Lord Whitworth, at St. Petersburg; but, unfortunately, the harmony which till then had subsisted between that Court and the Court of London was on its decline, and soon after his Excellency returned home.

However, on the accession of Alexander to the Imperial throne, we renewed our application, and requested Lord Whitworth to remit to us our papers, in order to lay before His Imperial Majesty the proofs of our just claim; but his Lordship answered, that after his departure from St. Petersburg the archive had been destroyed, to prevent its falling into the hands of the Russian Government, at that time inimical to this country, and he was afraid all our papers had shared the same fate.

However, his Lordship was so kind as to write to Russia for further enquiries; but last September we received the following letter, which put an end to our expectations, and made us then determine to submit the pictures to the public:—

"The enclosed will confirm to you what I had apprehended concerning the fate of your papers. I hope the documents with which I furnished you will in some degree compensate their loss.

"Your most obedient humble Servant,

"WHITWORTH.

"Stoneland, Sept. 4, 1801."

In addition to Mr. Desenfans' "Descriptive Catalogue," there are at Dulwich College several other lists and catalogues, 1786–1804 (see MSS. xvi.), all pointing plainly enough to an earnest desire on his part to sell as many of his pictures as possible. An addition to these catalogues has lately been made by the purchase, at the sale of the late Marquis of Thomond, of a printed list

"of that truly superb, and well known Collection of Pictures of the Roman, Venetian
"Spanish, French, Flemish, Dutch and English Schools, the intire and genuine property
"of Monsieur Desenfans to be sold on Saturday, April 8, 1786, and following days
"(Sundays excepted) by Private Contract, by a Committee appointed by Mons.
"Desenfans at the Great Rooms, late the Royal Academy, No. 125 Pall Mall."

It appears that in the previous year he had "formed a design of going
"to reside in his native country." He also had evidently been disgusted with the result of sales by auction, and so offers the collection for private sale. Some of his remarks on Art in England at that period are worth quoting:—

'Not more than half a century ago, the sale of so costly a collection as the present, would, in all probability, have been attended with an immense loss to the person who should have formed it at anything like the expence it has cost its present possessor, for though there were then in England connoisseurs who purchased pictures of value, their number was but exceedingly small.

"Indeed, a taste for this sublime art, however coveted by the English at any time, did not effectually develop itself until the reign of Henry VIII. In that of Charles I., it prevailed more generally; the celebrated Rubens and Vandyck were then enriching this country with the chef d'œuvres of their art. By these, and other patronages of that Monarch, who possessed himself a high taste for the arts, that taste became disseminated through the country; and though afterwards it was exceedingly damped, by the misfortunes that overwhelmed both the Prince and the people, it was never totally extinguished. Perhaps it owes, in some degree, its preservation to the disposition for foreign travel, which is certainly meritorious in any people, and hath in more modern times very strongly attached itself to those of condition in Britain; who if they did not make collections abroad, yet acquired there a taste for the art, which was sufficient to retain some character to their country.

"But we now live in the reign of George III., by whose accession to the throne this, and all the other arts acquired new vigour, and new lustre. The young Monarch declared himself their friend; and soon gave them the most striking proof of his royal protection, by founding that superb Academy, which in so few years has acquired a splendor that will remain an immortal monument of the glory of his reign; for though the wise oeconomy of his Majesty has set proper limits to an otherwise unbounded munificence of mind, he has always shewn that he considers that munificence indispensable to those improvements which are the greatest ornaments of an age, and do the greatest honour to the human mind: and accordingly the arts have invariably obtained it from his hand.

"The whole kingdom hath caught the ardour of his royal example. This love of the arts now animates every part of it. Not in the metropolis alone; not in the larger cities of the kingdom; not in the nobleman's mansion only, do we meet with Statues, Pictures, Prints or Drawings: but in the more humble dwellings of the private man, and in the most retired situations, all these are to be found, and with these, the taste that can discover and value their excellencies. We must not indeed expect to find everywhere Pictures equal to those in the collections of the Dukes of Devonshire, Portland, Rutland and Montagu; the Earls of Bute, Besborough, Hardwicke, Ashburnham, Exeter, Powlett, Grosvenor; Lord Arundel of Wardour, Lord Cremorne, Lord Clive; Sir W. W. Wynne, Sir Thomas Dundas, Sir George Yonge; M^r Welbore Ellis, Mess. Agar, Antrobus and Purling, M^r W. Smith at Clapham, M^r Aufrere at Chelsea, M^r Slade at Rochester, M^r Udney, M^r Hulse and M^{rs} Newton; nor Statues equal in number and value to those of the Marquis of Landsdown and M^r Townley; nor Prints and Drawings such as those of Lord Hampden and M^r Dalton. But we may take these as a strong and agreeable specimen of national taste, and may conclude from the great number besides, who are known to collect, that the same taste is universal.

"Unhappily one cause still retards that knowledge which is so necessary to picture collectors. There are Dealers who chiefly occupy their time in studying deceptions, by introducing copies instead of originals. They employ necessitous artists to make these copies, at a low price, from the works of old masters, and these, when soiled over, varnished, and exposed to the sun, decorate their shops as so many rare productions

from foreign cabinets. But these impositions cannot last long, while there is a growing taste in the country, and while there are among its Gentry such competent judges of the works of real masters, as the Bishop of Peterborough, Col. Smith, M^r Taffaert, Capt. Baillie, M^r Dalton, M^r Udney, M^r Whitefoord, and Lord S^t Asaph, young as he is, to extend their knowledge, which is so eminent in themselves, to the general classes of society.

"Besides this, the Arts themselves, not only in their taste, but in their execution, are evidently making a considerable progress among us. There are few of the British youth who do not in some degree apply themselves to Painting or Drawing; and several with much success. Among these be it permitted us to mention His Royal Highness the Prince of Wales."

"In point of advantage, indeed, it must be pronounced that a prudent and judicious collector cannot more usefully amuse himself, for the more universal the knowledge of the art becomes, the more will fine pictures be enhanced in their value.

"In the present collection, M^r Desenfans would wish it to be considered, that he has not always relied solely on his own judgement, but has consulted as much as possible the opinion of the best artists. A good artist, though he may not always have the experience of a connoisseur, and therefore may possibly be sometimes deceived respecting a master, yet never can be deceived respecting the merit and purity of a picture. To suppose that an eminent artist is not a judge of a picture in this latter respect, is to deny that Pope and Voltaire were judges of a poem, or Handel and Burney judges of music. If the Connoisseur has any advantage over the Artist, without experience, it is in this, that he knows the master by the touch, as any of us know the handwriting of our particular friends.

"But the question is, who is the Connoisseur? for great numbers will pass for such, who have not the least superficial knowledge of a picture. And as these seldom possess less confidence than those who have more real skill, they will sometimes, to shew their importance, turn their backs on a work which feasts the judge's eye, and bestow the most extravagant encomiums on the mere daubings of the canvas.

"How many then are the disadvantages to which a valuable picture is exposed at a public sale? it must struggle with envy, malice and ignorance—with the dealer whose interest often leads him to depreciate what is not his own—with the parsimonious collector, who, while he wishes ardently to possess a picture, runs it down, with the view of buying it at a cheaper rate—and lastly, with the mere bunglers in the art, who, being incapable of merit in themselves, will suffer none in any other pencil than their own.

"If the art were not better protected by a different spirit in other characters, hard indeed would be its lot! But, where there is true wisdom and judgement, there is always candour in proportion."

"Shew Vernet or Serrés a Sea Piece by Vanderveldt, and will they hesitate to mark and expatiate on its excellence? Bring Meyer and Cosway to the Miniatures of Cooper and Petitot—Greuze to a Conversation or Village Feast of Teniers—Copley to the Force of Carravagio and the Perspicuity of Poussin—Rigaud to the Athletic Characters of Hannibal Carracci—the Rev. M^r Peters to the Angelic Groups of Parmigiano, or the flowing Tints of Barrochio—M^{rs} Cosway to the Designs of M. Angelo—Angelica Kauffman to the Grecian Treasures of Herculaneum—Louthembourg to a Landscape of Berchem—the modest Gainsborough to a Morillo, or the Landscapes

of Rubens—West to the immortal works of Raphael, and Sir Joshua Reynolds to a Vandyck and Rubens' Historic Glow, and you cannot give any of them a more sincere satisfaction than in the opportunity of paying their tribute to the pains of those great Originals, whose spirit they have so eminently emulated to make the model of their own."

The catalogue itself consists of 420 pictures and 23 drawings. Each picture has a price written before it in ink, which has the appearance of being intended for the use of Mr. Desenfans or the salesman, whoever he may have been. These prices show an extraordinary change in taste and values during the past hundred years. A few samples are given, taken almost at random :—

A Landscape and figures	by Hobbima	3 ^{ft} 11 ⁱⁿ by 4 ^{ft} 10 ⁱⁿ	£30
A View in Venice	by Canaletti	3 ^{ft} 10 ⁱⁿ by 5 ^{ft} 9 ⁱⁿ	£5. 5s.
A View near Rome	by Claude le Lorraine	2 ^{ft} 6 ⁱⁿ by 3 ^{ft} 3 ⁱⁿ	£200
A View of Tivoli	by Berchem	4 ^{ft} 5 ⁱⁿ by 4 ^{ft} 1 ⁱⁿ	£315
Hercules and the Centaur	by Le Brun	3 ^{ft} 9 ⁱⁿ by 4 ^{ft} 10 ⁱⁿ	£210
Spanish Peasants	by Morillo	5 ^{ft} by 6 ^{ft} 3 ⁱⁿ	£63
Jacob stealing Esau's blessing	by Rembrandt	6 ^{ft} by 7 ^{ft} 6 ⁱⁿ	£50
Russel Earl of Bedford	by Van Dyck	3 ^{ft} 1 ⁱⁿ by 2 ^{ft} 7 ⁱⁿ	£21
A Shipwreck	by Vernet	4 ^{ft} 10 ⁱⁿ by 5 ^{ft} 2½ ⁱⁿ	£157. 10s.
A calm with a yacht, on board of which is Charles II. coming to England on his restoration, conducted by a Dutch fleet	by Vanderveldt (1660)	5 ^{ft} 1 ⁱⁿ by 6 ^{ft} 9 ⁱⁿ	£300
Scene in a play	by Watteau	2 ^{ft} 10 ⁱⁿ by 3 ^{ft} 4 ⁱⁿ	£8. 8s.
Battle between the Russians and the Turks	by De Louthembourg	5 ^{ft} 7 ⁱⁿ by 7 ^{ft} 10 ⁱⁿ	£350
Landscape with goats	by Paul Potter	1 ^{ft} 6 ⁱⁿ by 1 ^{ft} 9 ⁱⁿ	£8
Madona and Child with Joseph, Elizabeth and Angels	by Leonardo da Vinci	1 ^{ft} 10 ⁱⁿ by 1 ^{ft} 7 ⁱⁿ	£25
The well-known subject of the Shark	by Copley	3 ^{ft} 8 ⁱⁿ by 3 ^{ft} 1 ⁱⁿ	£40
Landscape with cattle and figures	by Bourgeois	4 ^{ft} 3 ⁱⁿ by 5 ^{ft}	£30
A sea port with S ^t Ursula, the history of the eleven thousand virgins going to the Holy Land.—Out of the palace of Barbarini	by Claude Lorraine	5 ^{ft} 2 ⁱⁿ by 6 ^{ft} 5 ⁱⁿ	£2500

No pictures have been at any time purchased by the College, but several additions to the collection have been made by gift, notably four pictures (Nos. 1, 358, 361, and 362) by Gainsborough, presented by the Rev. Ozias T. Linley, Organist Fellow 1816–1831, who also gave to the College portraits of several of his relations, by Sir Thomas Lawrence and others. (See Catalogue, p. 69.) Soon after this bequest (about 1834), Captain Moodey gave to the collection a full-length portrait of Mrs. Moodey and

her children, by Gainsborough. The remarkable thing about this splendid gift is, that no record whatever can be found as to who Captain Moodey was, or why he chose to hand over so valuable a picture to the Dulwich Gallery.

Other gifts there have been as recorded in the catalogue, but none of great importance. Mention, however, must be made of a portrait of Sir Francis Bacon, given in 1873 by Miss Love, of Yarmouth, Isle of Wight, "in fulfilment of the wishes of her late brother, Admiral Henry Ommaney "Love." When Lord Chancellor Bacon fell into disgrace in 1621, he hid for some time at the house of a family named Andrew, in Garret Lane, Wandsworth. To them he afterwards presented this portrait as a recognition of their kindness.

The history of the picture is given fully in a paper pasted on the back of the frame, which is as follows :—

Sir Francis Bacon, Baron Verulam Viscount of St. Albans, born 23rd of Jan^y. 1561 died 9th April 1626 aged 65, and is buried at St Albans in St Michaels Church, where there is a beautiful Monument to his memory. In 1618 he was made Lord Chancellor of England by King James 1st, but about the year 1621 he fell into disgrace, was banished the country and concealed by the Andrew family in Garrett Lane, Wandsworth, with whom there had been an intermarriage as appears by their Pedigree, and after he regained his full liberty, presented them with this portrait of himself as a compliment for their kindness. The last of the said Andrews was a female who married M^r John Acworth who were grandfather and grandmother to the late M^{rs} Sedgwick, who being the surviving eldest descendant became possessed of both Pedigree and Portrait.

By the will of Marian Sedgwick, eldest daughter of the above "Ann Blagrove "Sedgwick," this portrait with the Pedigree came into the possession of her first Cousin Rear Admiral Love of Yarmouth, Isle of Wight.

Marian Sedgwick died on the 16th Jan^y. 1860 aged 80 years.

It should be mentioned here that there is a very fine old Italian copy of Raphael's Transfiguration in the College chapel. It was purchased at Christie's in 1796 for £42 by Mr. Mills, of Saxham Hall, and by him presented the same year to the College. It is an accurate and yet spirited copy of the great original, and perhaps one of the most valuable copies in this country. The following is the description taken from Mr. Christie's catalogue of Mr. Van der Gucht's pictures, to be sold on 11th March 1796 :—

Raffaello. The Transfiguration.

The original has ever been the admiration of all men of taste and judgment, admitted as the finest of all his works. More need not be said in the illustration. This copy, which is visibly the hand of Julio Romano, has been judged to rival if not excel even the original in point of spirit and expression. Such a masterly picture by his best scholar becomes a very valuable acquisition.

Although here unhesitatingly ascribed to Giulio Romano, it is more probably the work of Pierino del Vaga, who was recommended to Raphael by G. Romano, and worked at the Vatican during Leo X.'s reign. He was born in 1500, and died in 1547.

At Loseley Hall, near Guildford, there is said to be a copy similar to this.

As is noted in the will of Mrs. Desenfans, she left the College certain articles of furniture, including what she calls "two commodes with drawers 'inlaid with brass and tortoise-shell.'" These are believed to be the work of the original inventor "Buhl," or "Boule." They had fallen greatly out of repair, but were most skilfully put into good order in 1875 by Messrs. Nixon & Rhodes, of Oxford Street.

Mrs. Desenfans also left a quantity of silver plate and table linen to be used at a dinner to be given to the Royal Academy at their annual inspection of the pictures on St. Luke's day. This inspection took place with tolerable regularity each summer, though not always on St. Luke's day.

The first of these dinners was given on the 18th July 1818, at a cost of £62. 18s. 9d., including such items as 9 quarts of turtle, £9. 9s.; 2 haunches of venison at £5. 5s.; one dozen of champagne, £7. 7s.; one dozen of Moselle, £4. 4s.; one dozen of Madeira, £3. 17s.

Entertainments of this sumptuous description were not, however, given every year, a modest breakfast at a cost of forty or fifty shillings being frequently substituted.

The exact sums of money which were expended for the purpose of building the gallery and the west wing were:—

Out of the specific legacy and residuary			
estate of Sir P. F. Bourgeois	£9,365	5	2
Out of the West Wing Fund of the College	4,857	10	6
	<hr/>		
	£14,222	15	8

The further sum held by the College by way of endowment was £17,000.

A considerable burden had, however, to be borne by the College, inasmuch as certain relatives of the donor of the pictures had been left in very needy circumstances, and consequently received gifts and annuities from the Master, Warden, and Fellows. Questions also arose as to their power to deal with the leasehold and other real estate as residue. The opinion was taken of Sir Samuel Romilly and Mr. John Bell, who advised that the leasehold property, an annuity from Covent Garden Theatre, and a right of free admission to the theatre could not be devised for the benefit of a charity, and that, therefore, there was a resulting trust of them for the

benefit of the next-of-kin, to whom they accordingly were transferred without any litigation.

The gallery remained exactly as originally built, except the addition of a porch about 1865, until 1884 and 1886, when the two wings were added in order to accommodate the "Cartwright" and other pictures. These wings had evidently been designed to form part of the gallery, although used for many years as almshouses for certain of the "Poor Sisters." It is intended to erect a School of Fine Art for the benefit of both sexes as soon as possible. The exact site has not yet been fixed upon, but it will probably be as near the gallery as circumstances will permit.

A catalogue of the Bourgeois collection of pictures was published in 1876 by order of the governors. It was compiled by John C. L. Sparkes, art master in the College 1858-1882, and now Principal of the National Art Training School, South Kensington. A second edition was published in 1880, in which Mr. Sparkes was assisted by Jean Paul Richter, Ph.D., the latter being responsible therein for the details relating to the pictures by foreign artists. A supplement thereto, as already mentioned (p. 472), was issued in 1884, containing full particulars of the Cartwright and other pictures and portraits outside of the Bourgeois collection. To these works the reader is referred for further particulars of both pictures and painters, the main object of this chapter being to supplement these excellent compilations.

Readers of Ruskin will remember that many of his examples are taken from pictures in the Dulwich Gallery. In *Modern Painters* especially, his references to this collection are frequent, and his criticisms searching. His father's house being little over a mile from Dulwich, no doubt he had very full opportunities of study there.

The first keeper of the Gallery was Mr. Ralph Cockburn, who died in 1820. He was an engraver, and published a set of prints in mezzo tint or soft ground coloured, of fifty of the pictures. Original sets of these are now very rare, although later and very poor copies of them are occasionally offered in old book shops.

In January 1821, Mr. Stephen Pointz Denning was appointed keeper, retaining that office till his death in 1864. He was a skilful artist, but his sketches are seldom seen. He compiled a historical and descriptive catalogue of the collection, in which he was assisted by his son, the late Rev. Stephen Denning, formerly head master of Bradfield College. Unfortunately, it still remains in manuscript, being retained by the widow of the latter gentleman.

Since 1864 the charge of the pictures has been entrusted to Mr. T. P. Hodgkins, whose zeal and care have often been remarked on, not only by the governors, but also by the members of the Royal Academy and other visitors. He is now assisted in his duties by his son.

CHAPTER XIX.

DULWICH COLLEGE AFTER 1857.

It forms no part of this work to continue the history of Dulwich after the Act of 25th August 1857 (20 and 21 Vict. cap. 84) became law, but a few facts may suitably be recorded here, and at the end of this chapter the text of the Act is given, as well as the Scheme amending the same, which was approved by Her Majesty in Council on the 18th August 1882.

The Governors appointed in 1857-58 were :—

The Right Hon. Lord Stanley, M.P. (now Earl of Derby), Chairman.	
P. Cator, Esquire.	* S. Pegg, Esquire.
Thos. Devas, Esquire.	* J. Pew, Esquire.
The Rev. M. T. Farrer.	* R. Phillips, Esquire.
James Fergusson, Esquire.	* T. Piper, Esquire.
* R. Fisher, Esquire.	Dr. (now Sir) Lyon Playfair.
* M. Hopgood, Esquire.	Charles Ranken, Esquire (Dulwich Governor).
F. St. John, Esquire.	The Rev. William Rogers.
* M. Maylard, Esquire.	R. Stephenson, Esquire.
C. L. Norman, Esquire.	* J. Waterlow, Esquire.

Those marked with an asterisk, eight in number, were elected by the four privileged parishes, the remaining eleven were appointed by the Court of Chancery upon application made thereto by the Attorney-General.

The governors varied from time to time by death or resignation; Lord Stanley resigning in 1859 was succeeded by the Duke of Wellington as chairman, and he again giving up his seat at the Board in 1862, was succeeded in the chair by the Rev. William Rogers. The first officers of the Board (1857-58) were :—

The Rev. Alfred James Carver, M.A., Master of the College.
 The Rev. John Roberts Oldham, M.A., Chaplain of the College.
 The Rev. Alfred Povah, M.A., Under Master of the Upper School.
 The Rev. W. F. Greenfield, M.A., Master of the Lower School.
 Charles Druce, Esquire, Solicitor and Receiver.
 Charles Barry, Esquire, Surveyor.
 R. J. Dennen, Esquire, Clerk.

In 1861 the Rev. A. Povah resigned the Under-Mastership on being appointed to the rectory of St. Olave, Hart Street, E.C. He was succeeded

by Henry J. Roby, Esq., M.A., who in February 1865, being appointed Secretary of the Endowed Schools Commission, resigned the Under-Mastership of the College. His successor was the Rev. George C. Bell, M.A., who in 1869 was made Head Master of Christ's Hospital (now Head Master of Marlborough), being succeeded by James Maccall Marshall, M.A., now Head Master of Durham. On his resignation in 1884, the office was abolished. The Chaplains have been :—

The Rev. John Roberts Oldham, 1857–1866, afterwards Vicar of Ottershaw.

The Rev. Samuel Cheetham, D.D., 1866–1884, now Archdeacon of Rochester.

The Rev. G. W. Daniel, M.A., appointed in 1884.

The Rev. W. F. Greenfield, who was appointed Head Master of the Lower School in 1858, retired upon a pension in 1870, and died soon afterwards. No permanent appointment was made to this office till 1875, when the Rev. J. Henry Smith, B.A., was elected. He is now Head Master of the new Alleyn's School, which took the place of the former Lower School.

In 1883, when the last Scheme came into operation, the Rev. A. J. Carver, D.D., retired upon a pension, his successor, J. E. C. Welldon, Esquire, M.A., being elected on the 8th March in that year. Two years afterwards he was appointed Head Master of Harrow, and on the 3rd July 1885 the present Master of the College, Arthur Herman Gilkes, Esquire, M.A., was appointed.

The first College Governors, under the Scheme of 1882, were :—

The Rev. William Rogers, Chairman.

Sir Hugh Adair, Bart.

C. S. Roundell, Esquire, M.P.

W. H. Stone, Esquire.

William Young, Esquire.

James Bryce, Esquire, M.P.

Admiral Bedford C. T. Pim, R.N.

The Rev. Cameron Churchill.

(Under section 5, these being members of the old governing body, retain their offices for life, but as vacancies occur the places are to be filled by coöptation.)

Sir William Anson, Bart., appointed by the University of Oxford.

George Buchanan, Esquire, M.D., " " University of London.

Professor G. Carey Foster, " " Royal Society.

J. A. Godley, Esquire, C.B., " " Lord Chancellor.

Sir H. J. S. Maine, K.C.S.I., " " University of Cambridge.

E. J. Poynter, Esquire, R.A., " " Royal Academy.

The Lord Bishop of Rochester, " " Archbishop of Canterbury.

Sir James N. Douglass, " " Masters of the College.

H. T. De la Bère, Esquire, }
R. K. Douglas, Esquire, } nominated by the Charity Commissioners as
C. B. Saunders, Esquire, C.B., } residents in Dulwich or neighbourhood.

Secretary, James Watchhurst, Esquire.

The first Estates Governors were :—

The Rev. William Rogers,	}	nominated by the College Governors.
H. T. De la Bère, Esquire,		
The Rev. Cameron Churchill,		
Sir James Douglass,		
J. A. Godley, Esquire, C.B.,		
C. B. Saunders, Esquire, C.B.,		
W. H. Stone, Esquire,		
William Young, Esquire,	}	appointed by the Charity Commissioners.
Charles R. Lindsay, Esquire,		
Francis Peek, Esquire,	}	coöpted by College Governors owing to a lapse by Charity Commissioners.
Admiral Pim,		
Robert Strong, Esquire, M.P., Chairman,	}	representing the Vestry of Camberwell.
L. J. Turney, Esquire,		
F. Hovenden, Esquire,	}	representing the Vestry of St. Luke's.
E. L. Nightingale, Esquire,		
R. F. Ash, Esquire,	}	representing the Vestry of St. Saviour's.
A. Boulden, Esquire,		
W. H. Trego, Esquire,	}	representing the Vestry of St. Botolph's, Bishopsgate.
R. Stapleton, Esquire,		
Secretary,	.	Colonel T. Taylor.
Solicitor to both Boards,	.	A. D. Druce, Esquire.
Surveyor to both Boards,	.	Charles Barry, Esquire.

The new College was opened in 1870 by H.R.H. the Prince of Wales.

Alley's School, replacing the Lower School, was opened in 1887.

The James Allen Girls' School was opened in 1887.

The new College, originally intended to house both schools, with central block in common, cost in construction about £80,000. This was paid chiefly out of monies received from the London, Chatham and Dover, and the London, Brighton and South Coast Railways, for land taken by them.

The Alley's School cost £13,800.

The James Allen's Girls' School cost £6800.

The building erected for James Allen's Girls' School about 1870 is now the property of the School Board for London. Contiguous to it an Infant School was built about 1860 by subscription, mainly through the exertions of Mrs. Oldham, the wife of the then chaplain. This school still flourishes under the direction of a local committee, with the chaplain as chairman. The schoolmistress, Miss Sharp, has now (1888) ably conducted this school for over thirty years.

ANNO VICESIMO AND VICESIMO PRIMO VICTORIÆ REGINÆ.

CAP. LXXXIV.

AN ACT for confirming a SCHEME of the CHARITY COMMISSIONERS for the COLLEGE OF GOD'S GIFT, in Dulwich, in the County of Surrey, with certain Alterations [25th August 1857.]

WHEREAS the Charity Commissioners for England and Wales, in their report to Her Majesty of their proceedings during the year one thousand eight hundred and fifty-five, have reported that they have provisionally approved and certified (among other schemes for the application and management of charities) a scheme for the College of God's Gift, in Dulwich, in the county of Surrey, and such scheme is set out in the appendix to the said report: And whereas it is expedient that the said scheme, as the same, with certain modifications thereof, is set out in the schedule to this Act, shall take effect: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. The scheme set out in the schedule to this Act shall be established and take effect.

SCHEDULE.

SCHEME for the APPLICATION and MANAGEMENT of the CHARITY called the COLLEGE OF GOD'S GIFT, in Dulwich, in the County of Surrey.

GENERAL PROVISIONS.

1. The existing incorporation of the above-mentioned Charity, by the name of the College of God's Gift, in Dulwich, or by any other name, shall be dissolved; and the several offices and places of the Master, Warden, and Fellows, brothers, and sisters of the said College shall be abolished from and after the 31st December 1857, and no new appointment shall be made to any office or place in or under the Charity according to its present constitution, after the establishment of this scheme.

2. The Charity, as reconstituted by this scheme, shall be called "Alleyn's College of God's Gift, "at Dulwich;" and the Archbishop of Canterbury, and his successors, shall continue to be the visitors of the Charity, with the same authorities,

rights, and privileges as heretofore, so far as the same shall not be inconsistent with this scheme.

3. There shall be nineteen governors of the Charity, who shall be called "The Governors of "Alleyn's College, at Dulwich," and who shall have the control and management of the Charity, and the estates and property thereof, from and after the said 31st day of December 1857. Eight of such governors, hereinafter called "The "Elective Governors," shall be elected; and the remaining eleven, or non-elective governors, shall be appointed as hereinafter provided.

4. The vestries of the parishes of Saint Botolph Without Bishopsgate, Saint Saviour Southwark, Saint Luke Middlesex, and Saint Giles Camberwell, shall each elect two of the said eight elective governors respectively; and the first election shall be made before the expiration of the month of November 1857. And every subsequent election shall be made by the vestry entitled to elect within three calendar months next after the occurrence of the vacancy requiring to be filled. Every elective governor shall be elected to hold office for a period of seven years, and shall be re-eligible at or subsequently to the determination of such period.

5. The non-elective governors shall be appointed by the Court of Chancery, upon application to be made to the same Court by Her Majesty's Attorney-General, either by petition or by summons before one of the judges of the said Court sitting at chambers. And the first appointment of non-elective governors shall be made as soon as conveniently may be after the establishment of this scheme; and whenever the number of non-elective governors for the time being shall be reduced by the occurrence of vacancies to eight, three suitable persons shall be appointed by the said Court, upon such application as aforesaid, so as to make up the full number of eleven non-elective governors.

One of the non-elective governors to be appointed by the Court of Chancery shall be a resident inhabitant of the township or hamlet of Dulwich, and shall be distinguished in his appointment as the "Dulwich Governor."* And upon any vacancy in the office of the "Dulwich Governor" for the time being, some other resident inhabitant of the same township or hamlet shall be appointed by the said Court to succeed to such vacancy whether the number of non-elective governors shall then have become reduced to eight or not; but nothing herein con-

* The successive "Dulwich Governors" were—

Charles Ranken,
Thomas Devas,

F. St. John,

Col. Horsburgh Macdonald, and William Young.

tained shall be construed as restraining the appointment of a larger number of non-elective governors from among residents in the said township or hamlet.

6. Death, resignation, bankruptcy, or insolvency, residence out of England, refusal or incapacity to act, or neglect to attend any meeting of the governors for one year, shall respectively create a vacancy in the office of governor. The office of the Dulwich governor shall also determine upon his ceasing to be resident in Dulwich.

7. All the real estate, of whatsoever tenure, and rights and privileges vested in or held in trust for the said College, or any of the members thereof, as such (subject to the subsisting leases and charges, if any, thereof), and the full benefit of all subsisting covenants, conditions, and securities made or entered into with or reserved to the said College, or any person or persons in trust for the same College, and all the personal estate belonging to or held in trust for the said College, or any of the members thereof as such, and the right to sue for and recover all choses in action recoverable for the benefit of the College, or any such member as aforesaid, shall, from and after the said 31st day of December 1857, be vested in the said governors, and shall from time to time thereafter vest and continue vested in the governors of Alleyn's College at Dulwich for the time being, for the purposes and according to the provisions of this scheme, without any conveyance, assignment, or assurance; and the right to sue upon or enforce all or any covenants, conditions, or securities made, reserved, or contracted to or with the said College before its dissolution, or to or with any preceding governors of the said Charity for the benefit thereof, shall be exercisable by and in the names of the governors for the time being, as fully and effectually as the same right might be exercised by such College if not dissolved, or by such preceding governors, if still retaining their office; and in the same manner all contracts and liabilities of the said College before its dissolution, or of any preceding governors for the time being of the Charity, may be enforced against the governors thereof for the time being, to the extent of the property or assets of the Charity, but not against their private estates.

8. Leases and other deeds and instruments for the letting or disposition of the Charity estate, or any part thereof, may be executed and made by any five of the governors for the time being on behalf and as the act of the whole of them, according to any order of the governors of the said Charity, made at any regular meeting of their body, and shall have the same effect as if executed by all the said governors; and the recital of any such order, contained in any deed or instrument by which any such lease or other disposition shall be effected, shall be *prima facie*

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evidence thereof upon any proceedings to which the parties to the same lease or instrument, or their respective successors in title, representatives, or assigns, shall be parties or a party.

9. The governors may from time to time appoint any four persons of their number to be a stock committee, into whose names all stock belonging to the Charity may from time to time be transferred, and the dividends on all such stock shall be disposable by the governors for the time being as part of the general income of the Charity. All or any sums of stock belonging to the Charity may also be transferred into the name of "The Official Trustees of Charitable Funds," in trust for the Charity under the provisions of "The Charitable Trusts Act, 1853," and "The Charitable Trusts Amendment Act, 1855."

10. The Charity shall continue to be managed and administered by the present governing body of the College until the said 31st day of December 1857, inclusive, and the accounts of the Charity shall be made up and finally balanced to that day. And there shall be paid to the Master, Warden, Fellows, and poor brethren and sisters of the College respectively out of the current year's income a due proportion of the several annual or other payments to which they are respectively entitled under the present system of administration, to be calculated from the then last preceding day of payment up to the said 31st day of December 1857. And any surplus or balance of income which shall remain to the credit of the Charity after providing for and satisfying such proportion of the said several annual payments, and the requisite or proper expenses attending the management and administration of the Charity up to that time, and all trust funds held by the College, or by any of its members as such, in trust for any other charitable purposes, shall be paid and transferred on that day unto the governors to be appointed as provided by this scheme, or as they may direct, according to and to be held upon the subsisting trusts thereof.

11. There shall be paid by the governors to the present Master, Warden, Fellows, and poor brethren and sisters of the College respectively, or to such of them as shall be living on the said 31st day of December 1857, during their respective lives, out of the income of the Charity, in lieu and full satisfaction of all present and future allowances, rights, and emoluments, the following annual sums; that is to say,—

To the Master the sum of	£1015
To the Warden,	855
To the first and second Fellows each,	500
To the third and fourth Fellows each,	466
To each of the poor brethren and sisters,	150
	3 R

The said allowances or annual sums shall commence from the said 31st day of December 1857, and shall be payable half-yearly, except the allowances to the poor brethren and sisters, which shall be paid monthly, or at such other periods as the governors may think fit, and shall be apportionable in cases of the death of any of the said recipients before or in the interval between any of the said half-yearly payments.

The allowance or annual sum payable to the Warden shall, in the event of his surviving the Master, be increased to £1015 from the day of the Master's decease; but the whole of the said allowances or annual sums shall abate in proportion in case and so often as the clear income of the Charity, after paying and providing for all necessary or proper outgoings and expenses of management, as well as the several payments and expenses directed or authorized by this scheme for the benefit or maintenance of the present poor scholars, and the College grammar school, and the servants and others attached to the present establishment, shall in any year or years prove insufficient to pay the same allowances or annual sums in full.

12. Until the appointment of a chaplain as hereinafter provided, the present first and other Fellows of the said College shall respectively continue as heretofore to perform or provide for the performance of divine service in the chapel of the College, or in some other building to be appointed by the governors for that purpose, and to discharge the other spiritual duties heretofore and of right discharged by them respectively; but, save as aforesaid, the said Master, Warden, and Fellows respectively shall from and after the said 31st day of December 1857 be exonerated from all obligation of residence in the said College, or the performance of any duties with respect to the Charity, and from all restriction against their respective marriages.

13. Until the establishment of a school in which the existing poor scholars shall be received and instructed, as contemplated by this scheme, and subject to the provisions herein contained, such poor scholars shall receive and enjoy the same instruction, maintenance, and other benefits, and shall also be entitled to the same apprenticeships and exhibitions to be respectively provided and paid out of the general income of the Charity, as such scholars respectively would have been entitled to receive and enjoy if this scheme had not been established.

14. Subject to the provisions of this scheme, and until the governors shall otherwise direct, the College grammar school may continue to be carried on as heretofore in the buildings hitherto used for such school; and the several stipends, allowances, and other payments which have been heretofore paid and allowed out of the income of

the Charity for the purposes of such school may continue to be paid and allowed as heretofore; and upon the discontinuance of the said school the governors may, if they so think fit, pay to the master thereof, out of the general income of the Charity, such a reasonable gratuity or pension in consideration of his services as they may consider proper and expedient.

15. The servants and attendants now employed in the College, upon their respective services being dispensed with in consequence of the provisions of this scheme, may respectively have any reasonable pensions or gratuities paid to them by the governors out of the income of the Charity, in such manner and subject to such conditions as the said governors shall think fit.

16. All pensions and exhibitions at present properly payable out of the income of the Charity shall continue to be paid to the present recipients thereof respectively during the tenure of their respective appointments, subject to the same rules and conditions as are now subsisting and applicable to the same respectively.

17. The governors may appoint a clerk and a receiver (who respectively shall be removable by them at their pleasure), or they may grant the offices of clerk and receiver to one person, and they may pay to the holder of each such office, out of the income of the Charity, any reasonable stipend or allowance as a remuneration for his services. Every receiver shall, before entering upon his office, give such security for the due performance of the duties thereof as the governors shall direct.

18. It shall be the duty of the clerk, subject to the control and direction of the governors, to give notices of and to attend all meetings of the governors or committees of the governors, to enter and keep minutes of the proceedings at all such meetings, to keep the accounts, and to pay the bills of the Charity, to prepare and make out such statements of account relating to the Charity as the governors shall from time to time require, and to perform all such other duties appertaining to the office of clerk of the Charity as the governors shall direct.

19. The receiver, subject to the control and direction of the governors, shall exercise a general supervision over the Charity estates and property, and the lessees thereof, and shall collect and receive the rents and income, and shall submit to the governors, so often and at such times as shall be directed by them, a report as to the state and condition of the Charity estates, and also full and particular accounts of all rents, income, and monies collected or received on account of the Charity, and of all arrears due of such rents or income; and shall perform all such other duties appertaining to the office of receiver, in respect of the Charity and its property, as the

governors shall reasonably direct. And unless the governors shall otherwise direct, all rents and incomes to be received by the receiver on account of the Charity shall, immediately upon the receipt thereof, be paid over by him to the bankers of the Charity to the credit of the Charity account.

20. There shall not be less than four meetings of the governors in every year, and such meetings shall be held on the Thursday fortnight after Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day respectively, or upon such other days, being respectively within thirty days next after the said quarterly days as shall have been appointed by the governors at any preceding meeting; and the said governors shall have power to appoint all such other meetings as they shall think necessary. All meetings shall be held at the College, and at the hour of noon, unless the governors shall fix some other convenient place in Dulwich, and some other convenient hour for holding the next or any other meeting. There shall also be a first general meeting of the governors, for the general purposes and business of the Charity, on the first day of January 1858.

21. Any three or more governors may require the clerk to convene a special meeting of the governors for any special object to be mentioned in such requisition, and the clerk shall thereupon give notice to each governor of the holding of such meeting, specifying the time, place, and object thereof; and no business shall be transacted at any special meeting, which shall not be specified or sufficiently indicated in the notice.

22. Notice shall be given by the clerk to every governor seven clear days at the least previously to a general meeting, and fourteen clear days at the least previously to a special meeting; and notice of every adjourned meeting, so far as the interval between the original and adjourned meetings will permit, shall be given in like manner immediately after the adjournment to all governors not present thereat, and every notice shall specify the place and the day and hour appointed for holding the meeting. All notices required to be given to any governor shall be in writing delivered to him, or sent by the post or otherwise to his usual place of residence.

23. There shall be a permanent chairman of the governors, who, whenever present, shall preside as chairman at all meetings of the governors, and who shall hold office until he shall cease to be a governor, or shall resign, or be appointed receiver, or be removed from being such chairman by a resolution passed at any special meeting of the governors to be convened for that purpose. The first permanent chairman shall be elected by the governors at their first meeting; and every subsequent permanent chairman shall

be elected at some special meeting of the governors, to be held upon due notice after an interval of not less than twenty-eight days after the vacancy of the office.

24. Five governors shall form a quorum at any meeting; and so soon after the time fixed for the holding of any meeting as a sufficient number of governors shall be present to form a quorum, in case the permanent chairman shall be absent, or his office shall be vacant, the governors then present shall proceed to elect a deputy-chairman, who, when so elected, shall preside as the chairman at such meeting.

25. The resolutions and proceedings of a majority of the governors present at any meeting shall be binding on the whole body; and no resolution or proceeding shall be subsequently revoked or altered, except at a special meeting duly convened upon notice for that purpose. The chairman presiding at any meeting shall, in the event of an equality of votes, have in addition to his original vote a second or casting vote.

26. If after the space of one hour from the time appointed for holding any meeting, a sufficient number of governors shall not be in attendance to form a quorum, the permanent chairman, or in his absence any governor then present, or the clerk if no governor be present, may adjourn the meeting to a subsequent day, not less than seven days distant. Any meeting may also be adjourned at any time by the chairman thereof upon a resolution for adjournment being adopted at such meeting.

27. The governors may at any time appoint three or more of their body to be a committee for the purpose of making any inquiry, or superintending, or performing any specific acts or duties which in their judgment may be more conveniently referred to or delegated to such committee. The acts and proceedings of every such committee shall be reported to the governors from time to time at their next meeting.

28. The governors shall provide and keep minute books, wherein shall be entered the names of the governors attending each meeting, and minutes of all proceedings thereat, and of all other transactions of the governors relating to the Charity. The minutes of the proceedings at each meeting shall be signed by the chairman of the meeting, and countersigned by the clerk.

29. The governors shall provide and cause to be kept proper account books, wherein shall be regularly entered and kept full accounts of all receipts and payments on behalf of the Charity, and such other particulars as the governors shall direct to be entered therein. All such accounts, and all accounts of the clerk and receiver, or other agents of the governors, shall be examined, vouched, and audited half-yearly at the first general meeting after Midsummer Day and

Christmas Day in every year, or at some adjournment of such meetings respectively, by one or more auditors, to be appointed for that purpose by the governors, and shall be signed by the chairman and two at least of the other governors present at such meeting; and a statement or sufficient abstract of such accounts, together with a statement showing the number of the boys of each description at the respective schools, and the number of exhibitioners, and other recipients of the Charity, shall be printed and delivered annually to each governor, and to the vestry clerk of each of the said four parishes, and to such other persons as the governors shall think fit.

30. The governors shall from time to time appoint and employ bankers to the Charity, or for the purposes thereof; and all payments of money on account of the Charity shall be made, as far as practicable, by means of cheques or orders drawn on such bankers, to be signed at some meeting of the governors by the chairman thereof, and by one at least of the governors present thereat, and to be countersigned by the clerk.

31. Such monies nevertheless as may from time to time be required for payment of the current expenses of the Charity may be paid or advanced by the governors for that purpose to the clerk or such other officer of the Charity, and in such manner, as they may consider expedient; and every such officer shall render to the governors, or as they shall direct, full and exact accounts of all such monies received or expended by him.

32. The governors shall provide some suitable room or place of deposit in the College, wherein shall be deposited the deeds, vouchers, account books, and documents belonging to the Charity, with proper lists or schedules thereof; and the contents of such room or place shall be examined by or under the direction of the governors at least once in each year; and such room or place shall be kept locked, and the keys thereof shall be kept in such secure custody, and under such regulations, as the governors shall from time to time prescribe.

33. The governors shall make suitable provision for the preservation and custody of the library belonging to the College, and shall appropriate annually, out of the income of the Charity, any sum not exceeding £100 for binding, and the purchase of books; and, subject to the superior authority and directions of the governors, the Master of the College shall have the immediate charge and management of the library, and may establish suitable regulations for access thereto, and for the use of the books by the masters and boys of either school hereinafter mentioned, and the officers and members of the establishment,

and other persons, and generally for the management thereof.

34. There shall be one chaplain, to be styled "The Chaplain of Alleyn's College of God's Gift at Dulwich," who shall be a duly qualified person in priest's orders of the Established Church. The chaplain shall be appointed by the governors, who shall also have the power of removing him for neglect of duty, or other sufficient cause. The first appointment of a chaplain shall be made as soon as conveniently may be after the said 31st day of December 1857, and not later than the first general meeting to be held next after the 25th day of March 1858.

35. A suitable residence shall be erected or appropriated and provided by the governors at the expense of the Charity for the use of the chaplain, and such residence shall be occupied by the chaplain for the time being and his family rent free, and shall be kept in substantial repair, and all rates and taxes thereon paid by the governors out of the general income of the Charity; and the chaplain shall reside in his official residence rent free, and shall not underlet or part with possession of the same, or any part thereof, and he shall not absent himself from residence without the permission of the governors or of the Master of the College acting under their authority.

36. The chaplain shall perform divine service in the chapel attached to the College upon Sundays, and on such other days and at such time as the governors or the Master of the College, with their sanction, shall from time to time direct, and he shall discharge such spiritual duties for the benefit of the several objects of the Charity as established by this scheme, and the several persons for the time being belonging or attached thereto, as the governors or the Master with their sanction shall authorize and direct, and also, so far as may be lawful and convenient, all such spiritual duties for the benefit of the township or hamlet of Dulwich, and the inhabitants thereof respectively, as have been heretofore commonly performed by the first or other Fellows of the College.

37. In case an ecclesiastical district comprising the said township or hamlet of Dulwich shall hereafter be legally created, the chaplain, with the consent of the governors of the said Charity, may become the incumbent or minister of such district, subject and without prejudice to the performance of his duties under this scheme.

38. The governors shall pay to the chaplain out of the general income of the Charity, by equal half-yearly payments, a clear annual stipend not exceeding £350 and not less than £250.

39. There shall be an organist for the purposes of the Charity, who shall be appointed by the

governors, and shall be removable by them at pleasure, and who shall be paid such a reasonable annual salary out of the income of the Charity as the governors shall direct; and the duty of the organist shall be, subject to the control and direction of the Master and the governors, to play the organ and generally to superintend the musical part of the services in the College chapel, and to instruct the boys in vocal music and choral singing at the schools hereinafter constituted, or such of them as may be selected for that purpose by the Master, and also such of the girls in the Dulwich girls' school as hereinafter provided. The governors may, if they so think fit, provide an official residence for the organist rent free out of the funds of the Charity.

40. The present chapel of the College shall continue to be appropriated and used as a place of divine worship for the purposes of the Charity and its establishment, and also for the inhabitants of the township or hamlet of Dulwich, in the same manner and to the same extent as heretofore; and the governors may, if they think fit, declare any number of the sittings to be free, or may require from any persons frequenting the chapel, and not being members of the Charity or its establishment, the payment of any reasonable sums by way of pew rent to be applied towards the expenses of such chapel, and the maintenance of the services thereof; provided that no such payment shall be required in respect of any pew or sitting in the chapel which shall have been annexed or appropriated to any house in the township or hamlet of Dulwich under any agreement or resolution of the College during the continuance of the term or period for which such pew or sitting shall have been so annexed or appropriated. In case the present chapel shall at any time hereafter be found insufficient or unsuitable for the purposes of the Charity and for the inhabitants of the township or hamlet of Dulwich, it may either be altered or enlarged by the governors, or a new chapel in a convenient situation for the inmates of the College may be erected and fitted up by the governors upon a plan to be approved by the Visitor; provided that in the construction of such new chapel arrangements shall be made for affording to the inhabitants of the township or hamlet of Dulwich an equal extent of accommodation at least to that heretofore enjoyed by them in the present chapel of the College, having regard also to the probable or eventual increase of population in the said township or hamlet.

41. Subject to the provisions of this scheme, the governors may from time to time prescribe such reasonable rules and regulations as they may think expedient for the internal government and conduct of the Charity and the establishment thereof as contemplated by this scheme, and of

all officers and persons for the time being attached thereto or employed therein; and all such rules and regulations shall be observed by the persons affected thereby.

42. The Charity with respect to its objects shall consist of two branches, hereafter respectively called "the Educational" and "the Eleemosynary" branches; and the surplus annual income of the Charity, which shall remain after providing for and paying thereout the expenses of all necessary buildings, repairs and insurance, and all other requisite or proper outgoings and expenses of management, as well as the stipends and salaries, and several other payments hereinbefore authorized or directed to be paid, and the interest and instalments of any debt payable thereout, shall be divided by the governors annually into equal fourth parts; and three of such fourth parts shall be placed by them from time to time to the account of "the educational" branch of the Charity, and (subject to the provision next hereinafter contained) shall be applied and expended for the purposes thereof as hereinafter directed, and the remaining one-fourth part of such surplus income shall be placed by the said governors to the account of the eleemosynary branch of the Charity, and (subject to the said provision next hereinafter contained) shall be applied and expended for the purposes thereof as hereinafter also directed.

43. Provided nevertheless, that until the available surplus income of the Charity shall be sufficient for accomplishing the whole purposes hereby provided for with respect to the said educational and eleemosynary branches of the Charity respectively, or for bringing the same into active and complete operation, the amount of such surplus income as aforesaid shall be invested by the governors from time to time in the public funds or other Government securities in the name of the stock committee for the time being, and the dividends thereon shall also be received and invested by them in like manner, so as to form an accumulating fund, which shall be ultimately applicable for such or the like purposes as are hereby declared of the income whence the same shall have arisen, except that if and so far as the governors may from time to time find the income for the time being sufficient for any partial accomplishment of such purposes respectively, it shall be lawful for them, with the sanction of the Board of Charity Commissioners for England and Wales, to apply the same income, or any part thereof, to such partial purposes.

44. If any doubt or question shall arise amongst the governors or any of them as to the proper construction or application of any of the provisions of this scheme or the management of the Charity, application may be made by the governors to the Charity Commissioners for England

and Wales for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the governors; and any provision in this scheme which may require to be explained or more closely adapted to the circumstances for the time being of the Charity may be explained, and adapted accordingly, by an order either of the Court of Chancery or of the Board of Charity Commissioners for England and Wales, to be made upon the application of the governors to the said Court or Board; and any provision in this scheme which shall be found inconvenient or objectionable may be modified accordingly by an order of the Court of Chancery, provided that no alteration shall be made by any such order involving a deviation from the main objects and principles of this scheme.

AS TO THE EDUCATIONAL BRANCH OF THE CHARITY.

45. There shall be two schools, viz. an "Upper School," and a "Lower School," which shall be respectively established and maintained in the township or hamlet of Dulwich, out of the proportion of the income and funds of the Charity applicable to the educational branch thereof, subject and according to the provisions of this scheme.

46. The upper school shall be for the reception and instruction of boys as foundation scholars and day boys, and may be carried on in the present College buildings, which, for the purposes thereof, may be altered, enlarged, adapted, and fitted up by the governors, or, if necessary, new school buildings, with masters' residences, playgrounds, and appurtenances, may be erected, provided, and fitted up by them, according to any plan which shall be previously approved by the Board of Charity Commissioners for England and Wales.

47. There shall be a head master of the said upper school, to be styled "The Master of Alleyn's 'College of God's Gift at Dulwich,'" and who shall have the general control and superintendence of the educational branch of the Charity, subject to the superior authority of the governors, to whom he shall be responsible for the conduct thereof. There shall also be an under master of the same school, and such master and under master respectively shall be appointed by the governors.

48. The Master of the College, and the under master of the upper school, shall respectively be members of the Church of England, and graduates of one of the Universities of the United Kingdom, duly qualified to discharge the duties contemplated by this scheme; and the governors shall in all cases, previously to appointing any master or under master, advertise for candidates, and require and receive testimonials and other evidence of

qualification in such manner as they may deem expedient for securing the services of the most efficient and eligible persons.

49. The governors shall pay by equal half-yearly payments, out of the income of the educational branch of the Charity, a fixed annual salary or stipend of £400 to the Master of the College, and of £250 to the under master of the upper school, and also, in addition to such fixed salaries or stipends, a half-yearly payment or sum of 30s. to the Master, and 10s. to the under master, for every boy exceeding the number of fifty, who shall have *bond fide* attended the said school for a period of not less than three calendar months during the then preceding half-year.

50. The Master of the College, with the approbation of the governors, shall be at liberty from time to time to appoint such assistant masters or teachers, and such professors, lecturers, and instructors, as may be requisite and proper for the purposes of the school; and every person so appointed shall hold office during the pleasure of the governors, and shall be paid out of the income of the educational branch of the Charity such a reasonable salary or remuneration as the governors shall appoint.

51. All boys between the ages of eight and fifteen years, whose parents or next friends shall be inhabitants of any of the said four parishes of Saint Botolph, Saint Saviour, Saint Luke, and Saint Giles Camberwell, being respectively of good character and conduct, and free from any infectious disease, and able to read and write, shall, to the extent of the accommodation afforded by the said upper school, be capable of being admitted thereto as day scholars, and of partaking of the benefits and advantages thereof, subject to the provisions of this scheme, and to such rules and regulations as may be prescribed by the governors consistently therewith; but no boy shall remain in the said school after he shall have attained the age of eighteen years. Subject to such rules and regulations as aforesaid, and subject to the right of preference in favour of boys from the four parishes aforesaid, it shall be lawful for the governors, if they think it expedient, at any time, to order the admission to the said school of boys from other parishes also, provided that the accommodation afforded by the school buildings and the funds of the Charity shall be sufficient for that purpose.

52. Every application for admission to the upper school as a day scholar shall be made in writing to the Master of the College, in whom the power of admitting or rejecting applicants shall be vested in the first instance, subject to the revision and control of the governors in each case, and such applications shall be made in such form, and shall be accompanied by such testimonials and evidence of qualification, as the said

Master, with the sanction of the governors, shall from time to time require ; and registers of the applications for admission, and also of the boys admitted to the school, specifying the respective dates of such applications and admissions respectively, and the residences of the boys, and such other particulars as the governors may direct or sanction, shall be kept by the said Master, and shall be accessible to every governor.

53. Any of the day boys attending the upper school may, with the consent of the governors, be admitted as day boarders upon the payment of such sums as the governors shall from time to time direct, and subject to such other reasonable regulations as they may prescribe.

54. There shall be so many foundation scholars in the upper school, not exceeding the number of twenty-four at one time, as shall be fixed and determined from time to time by the governors, having regard to the amount of the income and resources of the educational branch of the Charity and the extent of accommodation afforded by the buildings, and the said foundation scholars shall be appointed in manner hereinafter mentioned, and shall hold their respective appointments during such periods and subject to such regulations and conditions as the governors may from time to time prescribe.

55. All boys belonging to any of the four parishes, either from the upper school or the lower school hereafter constituted, between the ages of twelve and fifteen years, may offer themselves as candidates for appointment as foundation scholars in the upper school, subject and according to such regulations as the governors may from time to time prescribe ; and the said foundation scholars shall be elected and appointed by the governors from time to time from the candidates who shall be reported to them by the Master of the College to be the most deserving, having regard to the examinations passed by such candidates respectively at the examinations hereinafter directed to be held of the said schools, and to their respective characters and conduct : Provided that of the whole number of foundation scholars in the upper school not less than one-third shall be so elected and appointed by examination from the foundation scholars of the lower school.

56. Subject to such regulations as shall from time to time be established or approved by the governors, the foundation scholars in the upper school shall during their continuance at the same school be lodged, boarded, clothed, educated, and maintained in all respects at the entire expense of the Charity, and the governors may, if they think fit, direct that such scholars shall wear a suitable cap or other mark of distinction.

57. The Master of the College and the second master of the upper school shall not be at liberty

to receive and board any private pupils in their respective residences.

58. The governors shall have the power of dismissing and expelling any boy from the upper school for any immorality, insubordination, misconduct, or other sufficient cause ; and the Master may immediately suspend any boy guilty of any such misconduct from further attendance at the school until the case can be reported to the governors and decided upon by them.

59. An annual sum or capitation fee to be fixed and determined from time to time by the governors shall be paid by every boy attending the upper school, with the exception of the foundation scholars, and, until it shall be otherwise determined by the governors, the payment shall be according to the following scale, viz. :—

For every boy under the age of fourteen years :

If belonging to any of the four parishes aforesaid, £6.

If not belonging to any of the same parishes, £8.

For every boy above the age of fourteen years :

If belonging to any of the four parishes aforesaid, £8.

If not belonging to any of the same parishes, £10.

And all such capitation fees shall be paid in advance to the governors, or to such person as they may appoint to receive the same, in such half-yearly or other payments and at such times as the governors may direct ; and the governors shall be at liberty in any special cases to vary the sum to be paid by any boy, or to remit the same either partially or entirely as a reward of his superior merit, or on the ground of the greater poverty of his parents or next friends.

60. The annual amount of the capitation fees to be received from the boys as aforesaid shall be paid and applied by the governors as follows, viz. one moiety thereof shall be paid half-yearly to the Master of the College, and one-fourth part thereof shall be paid half-yearly to the under master of the upper school, in augmentation of their respective stipends, and the remaining one-fourth part thereof shall be applicable to the general purposes of the said school.

61. The instruction to be afforded in the upper school shall comprise, as far as may be—

The Principles of the Christian Religion and the Reading and Study of the Holy Scriptures ;

English Literature and Composition ;

The Greek, Latin, and modern Languages and Literature ;

History and Geography ;

Writing and Vocal Music ;

Mathematics, Algebra, Arithmetic and Book-keeping ;

Drawing and Designing, Practical Geometry and Mensuration, and the Principles of Civil Engineering ;

Physics, Mechanics, Chemistry, and the Natural Sciences, especially with their applications to the Industrial and Practical Arts ;

And generally such subjects as the governors shall from time to time prescribe for affording to the scholars a sound religious, moral, and useful education.

For the purposes of these several branches of instruction, the upper school may be divided into such departments or sections as the governors, or the Master with their sanction shall from time to time determine, and the buildings to be provided for or appropriated to the objects of the same school, and the fittings thereof respectively, shall be adapted to the same purposes accordingly.

The governors may also, out of the funds applicable to the educational branch of the Charity, from time to time provide such instruments, models, drawings, apparatus, and other requisites, and may employ either temporarily or otherwise such lecturers, professors, or teachers, as they shall think proper, and as the said funds shall be sufficient to provide for advancing or rendering more effective the instruction to be so given.

62. The course of instruction to be adopted in the upper school, and the hours of attendance, and the discipline and internal conduct and management thereof, and the holidays and vacations to be allowed therein, shall be under the direction and control of the Master of the College, subject to such rules and regulations as the governors may from time to time approve.

63. There shall be an annual examination of the boys at the upper school at such time as shall be appointed by the governors, who shall appoint one or more suitable examiners, being respectively graduates of one of the Universities of the United Kingdom, to conduct such examination, and may pay such examiners respectively any reasonable sum for their trouble and expenses ; and such examination shall take place in the presence of the governors, and of the Master of the College, and the under master of the school, or such of them as can conveniently attend ; and the churchwardens of the said four parishes, and such other persons as the governors or the Master may think fit, shall be invited to attend the same ; and suitable prizes may be provided and distributed by the governors upon every such examination to the boys who shall be reported to them by the Master of the College as deserving the same.

64. Whenever the income and resources of the educational branch of the Charity shall, in the judgment of the governors, permit, it shall be

lawful for the governors to establish and pay out of such income any number of exhibitions or scholarships, not exceeding eight in the whole, and not exceeding the amount of £100 per annum each ; and such exhibitions or scholarships, when vacant, shall be open to the competition of all the boys at the upper school at the annual examination aforesaid, and may be awarded by the governors to the boys who shall appear to be most deserving thereof, having regard to the result of the said examination, and to the general character and conduct of such boys respectively : Provided that no boy shall be eligible for such exhibition who has not for the period of two years immediately preceding been educated in the upper or lower school.

65. Each exhibition or scholarship shall be tenable for five years, or for any less period, to be determined by the governors ; provided that the holder shall, during his tenure thereof, continue to be resident at one of the English Universities, or to be a *bonâ fide* student of some learned or scientific profession or of the fine arts, with a view to the professional practice thereof, and shall continue to conduct himself with propriety and to the satisfaction of the governors.

66. The lower school shall be for the instruction and benefit of boys as foundation scholars and day boys, and shall be established and carried on in suitable buildings and premises, to be constructed or provided and fitted up for that purpose by the governors in Dulwich, according to a plan to be previously approved by the Board of Charity Commissioners for England and Wales ; and the buildings of the present College grammar school may, if thought expedient, and subject to the like approval, be appropriated and altered, enlarged and fitted up by the governors for the purpose of the said lower school.

67. There shall be a master of the lower school to be appointed by the governors, who shall be a member of the Church of England, duly qualified to discharge the duties contemplated by this scheme ; and the governors, previously to appointing any such master, shall advertise for candidates, and receive such testimonials and evidence of qualification as they may deem expedient for securing the services of the most efficient and eligible master.

68. The master of the lower school shall be paid by the governors by half-yearly payments out of the income of the educational branch of the Charity a fixed annual stipend of £200, and also an additional half-yearly sum of 20s. for every boy exceeding the number of fifty who shall have *bonâ fide* attended the same school for a period of not less than three calendar months during the then preceding half-year.

69. The governors, upon the recommendation of the Master of the College, may from time to time appoint such and so many persons as assistant masters, teachers, and instructors for the purposes of the lower school as in their opinion may be requisite or proper, having regard to the requirements of the same school, and the income and resources of the educational branch of the Charity; and every such person may be paid by the governors such a salary or remuneration as the governors may think proper, and every person to be so appointed shall hold office during the pleasure of the governors.

70. There shall be so many "foundation scholars" in the lower school as shall be fixed and determined from time to time by the governors, having regard to the amount of the income and resources for the time being of the educational branch of the Charity.

71. The foundation scholars at the lower school shall be appointed by the governors, and boys between the ages of eight and twelve years, of good character, free from infectious disease, and able to read and write, and being poor orphans having lost one or both parents, or in default of such then the children of poor deserving parents resident in any of the said several parishes of St. Botolph, St. Saviour, St. Luke, and St. Giles Camberwell, shall be eligible to be so appointed, but so that an equal number of the said foundation scholars shall be taken from each of the said parishes. The age up to which the foundation scholars may remain in the lower school may be fixed and determined from time to time by the governors, provided that no boy shall be allowed to remain as a foundation scholar in the same school after the age of sixteen years.

72. The foundation scholars at the lower school shall be elected from time to time from amongst boys duly qualified as aforesaid, upon an examination and inquiry to be instituted by the governors, or by a committee of not less than three of their number, to be appointed for that purpose; and every such election shall be held either at Dulwich or at the respective parishes from which the scholars are to be elected, and shall take place at such times and be subject to such rules and regulations as may be prescribed by the said governors; and previously to every such election sufficient notice shall be given by the governors in such of the said parishes as may be interested therein, and in any manner and form which the governors may consider best calculated to ensure publicity, specifying the number of vacancies to be filled up, and the qualifications required from candidates, and the time and place at which the election will take place; and in making every such election the merits, qualifications, and claims of the candi-

dates in regard to their respective proficiency, abilities, and general character, and the circumstances and character of their respective parents, shall be taken into due consideration by the governors.

73. The governors may appoint any fit and proper person to examine the candidates at every such election, and may pay to such person out of the funds of the Charity any reasonable remuneration for his trouble and expenses, or they may authorize the master of the lower school, or the Master of the College, or the under master of the upper school to act as the examiner upon any such occasion gratuitously; and so far as conveniently may be, and subject to such regulations as the governors may prescribe, every such examination may be attended by all parishioners of the parish for which the election in question shall be held, and by any other persons whom the said governors may think fit or expedient to admit to attend the same.

74. The foundation scholars at the lower school shall be lodged and boarded in suitable buildings attached to the same school, to be provided and fitted up by the governors for that purpose, and shall also be clothed, maintained, and educated at the same school, at the entire expense of the Charity, in accordance with such rules and regulations as may be prescribed by the governors in that behalf.

75. Subject to the regulation and control of the governors, and to the extent of accommodation afforded by the school, all boys above the age of eight years, the children of the industrial or poorer classes resident in any of the four parishes aforesaid, being respectively of good character and able to read and write, and not suffering from any infectious disorder, shall be admissible to the lower school as day boys; but no such boy shall remain at the school after the age of sixteen years.

76. Every application for admission as a day boy to the lower school shall be made to the master of the same school, who shall keep a register of all such applications and of the boys admitted to the school, which register shall always be open to the inspection of every governor and of the Master of the College.

77. A capitation fee to be fixed by the governors from time to time, but not exceeding 5s. a quarter for each boy under fourteen years of age, and 10s. a quarter for each boy above that age, shall be paid by the parents or friends of every day boy attending the lower school to the governors, or to any person appointed by them to receive the same; but the governors may in particular cases, if they see fit, as a reward of superior merit, or on the ground of the poverty of any boy or his friends, or for sufficient special

reasons, excuse the payment of such capitation fees, either wholly or in part. All such capitation fees shall be paid in advance quarterly, or at such other times as the governors may direct, and shall be paid and applied by the governors as follows, viz. one moiety of the amount thereof shall be paid half-yearly to the master of the lower school in augmentation of his stipend, and the remaining moiety shall be applied towards increasing the stipend or remuneration of the assistant masters or teachers of the said school respectively (if any), or for the general purposes of the same school, as the governors in their discretion shall think fit.

78. Any of the day boys attending the lower school may, with the consent of the governors, be admitted as day boarders, and may thereupon be boarded with the foundation scholars of the same school upon the payment of such a sum for defraying the expense as the governors may from time to time direct, and subject to such other reasonable regulations as they may prescribe.

79. The instruction to be given in the lower school shall comprise, as far as may be—

The Principles of the Christian Religion, and the Reading and Study of the Holy Scriptures;

Spelling, Reading, and Writing;

English Grammar and Composition, and the Latin and modern Languages;

General History and Geography;

Vocal Music;

Arithmetic, Algebra, Mathematics, and the Elements of Practical Geometry and of Mensuration;

Elementary Instruction in the Laws of Physics, Mechanics, Chemistry, and the Natural Sciences;

Elementary Freehand and Mechanical Drawing.

The instruction in these subjects shall bear especially on their application to the Industrial Arts, and to them may be added such subjects as the governors shall from time to time prescribe for affording to the scholars a sound religious, moral, and useful education, adapted to their probable occupations or stations in life.

For the purposes aforesaid the lower school may be divided into such departments or sections as the governors, or the Master with their sanction, shall from time to time determine, and the buildings to be provided for or appropriated to the objects of the same school, and the fittings thereof shall be adapted to the same several purposes accordingly.

The governors may also from time to time, for the benefit of the lower school, make any such provision for promoting or rendering more effectual the instruction to be given therein, and particularly in any branches of physical or

mechanical science as are authorized to be made by them for the benefit of the upper school for the like purposes, so far as in their judgment such provision shall be required, and the funds of the educational branch of the Charity properly applicable to this purpose will permit.

80. The boys at the lower school shall be liable to dismissal and expulsion by the governors for any breach of the rules of the school, or for theft, immorality, insubordination, or misconduct, or other sufficient cause. And upon the occurrence of any such offence or occasion, the master of the same school shall report the same to the Master of the College, who shall have power to inquire into the same, and, if he shall so think fit, to suspend the offender from further attendance at the school, until the case shall have been reported by him to the governors, and decided upon by them.

81. The discipline and course of instruction to be adopted at the lower school, and the internal regulation and management thereof, shall be committed to the master of the same school, subject, nevertheless, to the general superintendence and direction of the Master of the College, who shall be at liberty at all times to visit and inquire into the state and condition of the said lower school, and shall, at least once in each year, make a report thereon to the governors, and subject also to the orders and regulations of the governors.

82. There shall be an annual examination of the boys at the lower school at such time as shall be appointed by the governors, who shall appoint some fit and proper examiner to conduct such examination, and may pay to him any reasonable remuneration for his trouble and expenses; and such examination shall take place in the presence of the governors, and of the masters of the upper and lower schools, or such of them as can conveniently attend; and the churchwardens of the said four parishes, and such other persons as the governors or the Master of the College may from time to time think fit, shall be invited to attend the same. With the approbation of the governors, either the Master of the College or the second master of the upper school may act as the examiner at any such annual examination gratuitously.

83. The governors may yearly, upon the occasion of such examination as last aforesaid, distribute suitable prizes, to be provided out of the income and funds of the educational branch of the Charity, among the boys at the lower school who shall be found to be most deserving thereof, having regard to the results of the said examination and to the general character and conduct of such boys, according to a report thereof to be made to the governors by the Master of the College in concurrence with the master of the

lower school ; and the governors may also yearly, upon the occasion of such annual examination, award and pay out of the same income and funds, to or for the benefit of a limited number of such boys as last aforesaid who shall be then leaving the school (but not exceeding the number of six in the whole during any one year), a gratuity or sum not exceeding £40 in each case, for the purpose of apprenticing or advancing such boys respectively in the world in such manner and subject to such conditions and regulations as the governors may prescribe: Provided that one-third at least of the boys receiving such benefit shall be taken every year from the most deserving of the foundation scholars of the lower school, if a sufficient number of the foundation scholars should be then leaving the school.

84. Whenever the income and resources of the educational branch of the Charity shall in the judgment of the governors permit, any number of exhibitions or scholarships, not exceeding twelve in the whole, and not exceeding the amount of £40 per annum each, may be awarded and paid by the said governors out of such income to or for the benefit of such boys as hereinafter mentioned upon their leaving the lower school ; and any such exhibition or scholarship shall be tenable by the boy to whom it shall be so awarded for a period not exceeding four years from the time of his leaving the school, provided that he shall continue to conduct himself with propriety and to the satisfaction of the governors ; but no more than three such exhibitions or scholarships shall be awarded or filled up in any one year.

85. The said exhibitions or scholarships to the extent of the disposable vacancies for the time being therein shall be open to the competition of all boys at the lower school (as well foundation scholars as day boys) at the annual examination for the same schools, and shall be awarded by the governors to the boys who shall be found to be most deserving thereof, having regard to the result of the said examination, and to the general character and conduct of the boys, according to a report to be made to the governors by the Master of the College in concurrence with the master of the lower school ; but no boy shall be entitled to receive any such exhibition or scholarship in addition to a gratuity for his apprenticeship or advancement as aforesaid: Provided also that no boy shall be eligible for such exhibition or scholarship who has not for the period of two years immediately preceding been educated in the said lower school.

86. Suitable residences, with all proper fittings and appurtenances, shall be provided by the governors for the persons holding the respective offices of Master of the College and under master and master of the said upper and lower schools,

and the same persons respectively shall reside in their respective official residences rent free, and shall have the occupation and use thereof in respect of their official character and duties, and not as tenants, and shall, if removed from office, deliver up possession of their said respective residences at such time and to such person as the governors may require or direct ; and no Master shall underlet or permit any person, except himself and his family, to occupy his official residence or any part thereof. The said official residences, with their respective appurtenances, shall be kept in proper repair, and all rates and taxes thereon shall be paid by the governors out of the income of the Charity.

87. The Master of the College and the under master and master of the said upper and lower schools respectively shall give their whole time and personal attention to the duties of their respective offices, and shall not respectively during their respective tenure of office accept or hold any benefice having the cure of souls, or any office or appointment which in the opinion of the governors may interfere with the proper performance of their respective duties under this scheme.

88. The Master of the College and the under master and master of the said upper and lower schools respectively, previously to entering into office under the provisions of this scheme, shall respectively sign a declaration to be entered in the minute book of the governors, which may be in the following form, or as near thereto as conveniently may be, *i.e.* :—

“ I, _____ declare,
 “ That I will always to the best of my ability
 “ discharge the duties of
 “ during my tenure of that office according to the
 “ provisions of the scheme for the regulation of
 “ Alleyn's College of God's Gift at Dulwich, and
 “ that in case I shall be removed from my office
 “ by the governors according to the provisions
 “ of the same scheme, I will acquiesce in such
 “ removal, and will thereupon relinquish all
 “ claim to such office and its future emoluments ;
 “ and upon any such removal, or upon any
 “ avoidance of my office, possession of my official
 “ residence with its appurtenances may be forth-
 “ with taken by the governors, or any person
 “ appointed by them to take possession of the
 “ same.”

89. The Master of the College, and the under master of the upper school, and the master of the lower school respectively, shall be liable to be removed from their respective offices by the resolution of the governors present at a special meeting, to be called for the express purpose of considering the expediency of such removal upon a requisition of at least three governors, provided that the resolution for such removal shall be

carried at such meeting by at least two-thirds of the governors present, and that the number of governors voting for the removal shall not be less than seven, and provided that the notice of meeting shall in this special case have been given to every governor by the space of at least one calendar month previously to the holding thereof, and that notice thereof shall have been also given in like manner by the same space previously to the master whose removal shall be proposed, and that such resolution shall be entered on the minutes and signed by the governors voting for the same.

90. The Master of the College, and the under master of the upper school, and the master of the lower school, shall also respectively be removable by the governors under the provisions of "The Charitable Trusts Act, 1853," and the governors may assign to any master or under master, upon his removal under this or the last foregoing clause, or upon his retirement, such a reasonable annual allowance by way of retiring pension, to be paid out of the income of the educational branch of the Charity, as the Board of Charity Commissioners for England and Wales shall sanction.

91. Any Master of the College, and any under master or master of the said upper and lower schools respectively, who may die, resign, or be removed from office under the provisions of this scheme in the interval between any two half-yearly days of payment, shall respectively be entitled to a due proportion of his salary or stipend, and of the portion of capitation fees, if any, payable to him under the provisions of this scheme from the previous half-yearly day of payment thereof up to the day of his death, resignation, or removal.

92. Prayers taken from the liturgy of the Church of England, or of which the form shall have been approved by the Visitor, shall be said daily in each of the said schools when the same shall meet. The religious instruction in both the schools shall be in accordance with the doctrines of the Church of England, and shall be given under the general direction of the Master of the College to all boys, except that instruction in the Church Catechism, or in any distinctive doctrines of the Church of England, shall not be given to boys whose parents, or persons standing *in loco parentis* (being respectively persons not in communion with that Church), shall state in writing to the Master of the College that they object to such last-mentioned instruction upon conscientious grounds; and all the boys, except those last aforesaid, shall also attend divine service at the chapel of the College on Sundays, and on such other days and at such times as may be directed by the Master of the College, subject to the approbation of the governors. The exemp-

tion from attending divine service at the chapel of the College on Sundays may also be extended by the governors or the Master, if found necessary or convenient, to any day boys attending the schools from other places than Dulwich; but care shall be taken, as far as possible, that all boys who shall, by virtue of the said exception, be exempted from attendance at the said chapel as aforesaid, shall regularly attend some other place of religious public worship on Sundays.

93. Every establishment which may be set up by any person or persons for the purpose of lodging or boarding boys at the upper or lower school shall be under the superintendence of the Master of the College, subject to any rules and regulations which may be made by the governors.

94. The governors may appoint from time to time such attendants and servants as may be found to be required for any of the purposes of the said respective schools at such reasonable salaries to be paid out of the income of the educational branch of the Charity as the governors may think fit, and may remove any such attendants and servants at pleasure.

95. The present poor scholars at the College, or such of them (if any) as may retain their respective appointment when this scheme shall come into operation, shall be entitled to be admitted in the first instance as foundation scholars either at the upper or lower schools, as the governors may determine and direct in each case.

96. In the appointment or admission of boys from the parish of Camberwell to either of the said schools, under any of the provisions of this scheme, boys being the children of resident inhabitants of the township or hamlet of Dulwich, and being otherwise duly qualified for appointment or admission, shall always be entitled to and have a preference, *ceteris paribus*, over boys being the children of persons resident in any other part of the said parish of Camberwell: Provided nevertheless, that the preference hereby given shall take effect and be acted upon in those cases only where the merits and qualifications of the respective candidates for appointment or admission independently of their place of residence shall be equal in the judgment of the governors, whose decision in case of any dispute or difference as to the application or effect of this provision shall be conclusive upon all parties.

97. The schools shall respectively be subject to inspection by Her Majesty's Inspectors of Schools.

98. It shall be lawful for the governors from time to time, with the sanction of the Court of Chancery or the Board of Charity Commissioners for England and Wales, to be obtained upon application to such Court or Board, to increase

the number of foundation scholars or exhibitors at or from both or either of the said schools to such an extent as the amount of the income and resources of the educational branch of the Charity for the time being, and other circumstances, may render proper and expedient.

99. The annual surplus income (if any) of the educational branch of the Charity which shall not be applied or required for the purposes hereinbefore expressed, shall be invested by the governors from time to time in the public funds or other Government securities, in the names of the stock committee or in the name of the official trustees of charitable funds, and the dividends and income to arise from such investments shall be applicable as part of the income of the educational branch of the Charity.

AS TO THE ELEMOSYNARY BRANCH.

100. There shall be such a number of almspeople belonging to the Charity as shall be determined by the governors from time to time, having regard to the amount of income available for the support of the eleemosynary branch of the Charity, and the extent of accommodation afforded by the buildings to be erected for that purpose according to this scheme; but the number of such almspeople for whom accommodation shall be provided by the governors in the first instance shall not exceed twenty-four.

101. Suitable residences with gardens, if the same can be conveniently attached to them, and all necessary and proper fittings and conveniences, shall be erected or appropriated and provided by the governors for the reception and accommodation of the said almspeople, upon the Charity estate if practicable, or elsewhere at Dulwich, and according to plans to be approved by the Board of Charity Commissioners for England and Wales.

102. The present poor brethren and sisters belonging to the Charity, or any of them, who may continue to hold their respective appointments after the 31st day of December next, shall be entitled to be placed in the first instance in the residences to be erected or appropriated and fitted up in accordance with the provisions of this scheme; and until sufficient residences shall be erected and fitted up for such poor brethren and sisters, and in case of and from and after their removal from the College, the governors shall provide them with fit residences or make such other provision for their location and domiciles as shall be just and expedient.

103. One half of the almspeople shall be poor men to be called "Brethren," and the other half of such almspeople shall be poor women to be called "Sisters," and both classes shall be selected, so far as practicable, from among respectable

persons, either married or single, who shall have fallen from better circumstances into indigence, and who shall be of the age of sixty years or upwards; and the said almspeople shall always be chosen and appointed from among residents in the said four parishes of Saint Botolph Without Bishopsgate, Saint Saviour Southwark, Saint Luke Middlesex, and Saint Giles Camberwell, respectively, in the proportion of one-fourth of the whole number of such almspeople from each of the said several parishes respectively.

104. The right of appointing the almspeople shall be vested in the governors, but for the purpose of every such appointment the vestry of the parish from which the appointment is to be made shall submit to the governors the names of three persons duly qualified as aforesaid as candidates, with all proper information and evidences as to their qualification, condition, character, and circumstances, and so far as regards the candidates to be so submitted from the parish of Camberwell, having due regard to the preference hereinafter reserved in favour of persons resident in the township or hamlet of Dulwich, and one of such candidates, if found duly qualified and eligible, shall thereupon be selected and appointed by the governors to fill the vacancy; but the governors may, if and so often as they shall think fit, on the ground of disqualification, or any other reasonable cause to be assigned by them, reject all or any of the three candidates to be so submitted to them for the purpose of any such appointment, and require other candidates to be submitted to them as aforesaid, in the respective places of any so rejected. In any case of the refusal or omission of the vestry to submit to the governors the names of proper candidates within twenty-eight days next after a notification made to them or to their clerk by order of the governors of a vacancy to be filled, or next after the rejection by the governors according to the preceding provision of any candidates or candidate for the said vacancy, the governors shall be at liberty to appoint any duly qualified person to fill such vacancy.

105. The almspeople, during the tenure of their respective appointments, shall have the use and occupation of their respective residences, together with such fittings and furniture (if any) as may be provided by the governors, rent free, and a weekly stipend to be fixed and determined from time to time by the governors, but not exceeding 20s. per week, shall be paid to each almsperson out of the income of the eleemosynary branch of the Charity.

106. The chaplain of the College, subject to the superior authority and direction of the governors, shall have the immediate supervision and control of the almspeople, and shall take care that proper discipline and order is observed

by them, and he shall half-yearly or more frequently report to the governors as to the state and condition of the almspeople and eleemosynary branch of the Charity generally.

107. Whenever the income of the eleemosynary branch of the Charity, after providing for the establishment and maintenance of twenty-four almspeople, shall be sufficient for the following purpose, the governors shall appoint from time to time as out-pensioners any number of persons not exceeding the number of almspeople for the time being, and not exceeding thirty-two in the whole. The number of such pensioners of either sex shall, so far as possible, be equal; and so far as may be convenient and practicable the several provisions herein contained with regard to the qualification of the said almspeople, and the proportion of the whole number to be appointed from the poor of each of the said four parishes respectively, and the mode of their election and appointment, and the tenure of their appointments, shall be applicable to the pensioners contemplated by this provision, except that such pensioners shall be eligible after the age of fifty years. The governors may pay to each pensioner during the tenure of his or her appointment, out of the last-mentioned income, a weekly or other periodical sum at the rate of 10s. per week.

108. The governors shall have the power of removing and dismissing any almsperson or pensioner for disqualification, immorality, insubordination, misconduct, or other sufficient cause, and the Master of the College may at any time suspend any almsperson or pensioner guilty of any such misconduct from the receipt of any allowance or benefit from the Charity until the case can be reported to the governors and decided upon by them.

109. In the appointment of any almsperson or pensioner from among residents in the parish of Camberwell under the provisions of this scheme, poor persons resident in the said township or hamlet of Dulwich, being otherwise duly qualified as required by this scheme, shall always be entitled to and have a preference, *ceteris paribus*, over poor persons resident in other parts of the said parish, and the nominations to be made by the vestry of the said parish of Camberwell shall in all cases be made in accordance with this provision; provided nevertheless, that the preference hereby given shall take effect and be acted upon in those cases only where the qualifications and claims of the respective candidates in accordance with this scheme, independently of their place of residence, shall be equal according to the judgment of the governors, whose decision in case of any dispute or difference as to the application or effect of this provision shall be conclusive as between all parties.

110. The annual surplus income (if any) of the eleemosynary branch of the Charity which shall not be applied or required for the purposes hereinbefore expressed, or any of them, shall be invested by the governors from time to time in the public funds or other Government securities, in the names of the stock committee or in the name of the official trustees of charitable funds, and the dividends and income to arise from such investments shall be applicable as part of the income of the eleemosynary branch of the Charity.

AS TO THE PICTURES AND OTHER MINOR FOUNDATIONS.

111. Provision shall be made by the governors, with the sanction of the President and Council of the Royal Academy, for the preservation and custody of the collection of pictures and other works of art bequeathed to the College by the respective wills of Sir Peter Francis Bourgeois and Margaret Desenfans, and all accretions or additions (if any) to such collection, in the present gallery, and, if necessary, in some additional gallery to be erected or otherwise provided for the purpose at the College at Dulwich, and subject to such regulations for making the same accessible to the public, and for other purposes, as the governors, with the like sanction or approval, may determine or direct.

112. All sums of stock, securities for money, and other property vested in or held by the College, or any person or persons in trust for the custody or preservation of the said pictures or works of art, or for any object or purpose connected therewith, or so much thereof as shall not have been already vested in the said governors by virtue of the provisions hereinbefore contained, shall be transferred to the governors hereby established, or to any four persons of their number to be appointed by them for that purpose, or as to such stock to the official trustees of charitable funds, and shall be placed by the governors to a separate account, to be called "The Picture Gallery Endowment Account," and the same stock, securities, and premises, and the dividends and income arising therefrom, shall be applicable primarily to the purposes of placing, preserving, and guarding the said pictures and works of art; but such purposes may include the erection, providing, appropriation, and fitting of any additional gallery which may be erected or provided in pursuance of the foregoing provision, and of keeping the same in repair. In case the services of the present curator and doorkeeper of the Picture Gallery, or of either of them, shall be dispensed with by the governors, a suitable yearly allowance or pension shall be assigned

to them respectively during their respective lives, in consideration of their past services, such respective allowances or pensions to be paid by the governors half-yearly out of the income of the Picture Gallery Endowment.

113. The annual surplus income (if any) arising from the said Picture Gallery Endowment shall be applied by the governors in or towards providing instruction in drawing or designing for the boys at the two schools constituted by this scheme, and until so applied shall be accumulated and invested as part of the surplus income of the said educational branch of the Charity.

114. The sum of £666. 13s. 4d., £3 per cent. reduced bank annuities, bequeathed by John Whitfield, Esquire, by his will dated the 24th of April 1826, to the Master and Warden of the said College and their successors, upon trust to lay out the interest thereof annually in bread and potatoes, or other necessities, and distribute the same in the months of December, January, and February in each year unto and among such twenty poor widows in the hamlet of Dulwich as the said Master and Warden should in their discretion consider most to stand in need of such assistance, and in proportion to the number of their respective families and wants, together with all accretions or additions (if any) to such bequest, shall be transferred to the official trustees of charitable funds, in trust for John Whitfield's Charity, Dulwich; and the chairman for the time being of the governors and the Master and the chaplain for the time being of Alleyn's College of God's Gift at Dulwich as hereby constituted, shall be the trustees for the management and distribution of the said last-mentioned Charity, and the income thereof shall be paid over from time to time to such trustees, or any one or more of them, in order that the same may be applied and distributed by them, or the majority

of them, in accordance with the trusts declared by the said will.

115. The rents, dividends, and income arising from the estates and other property constituting the endowment of the school founded by James Allen, by indenture dated on or about the 31st of August 1741, for the benefit of the children of poor persons resident in the town of Dulwich, or within one mile thereof, and all accumulations of income and other funds belonging to the said endowment, shall be placed by the governors to a separate account, to be called the "Dulwich Girls' School Account." The chairman for the time being of the governors and the Master and the chaplain for the time being of the said College, shall be the trustees for the administration of the said last-mentioned school, which shall be established and carried on as a school for the instruction of girls being the children of poor persons resident in the hamlet of Dulwich and its immediate vicinity, subject to such regulations as may be prescribed by the said trustees, or the majority of them, with the sanction of the said Board of Charity Commissioners for England and Wales; and the organist of the College shall instruct in vocal music and choral singing such girls in the said school as the trustees may select; and the rents and income arising from the said endowment shall be paid over to the said trustees in trust for the purposes of the same school, and the governors of the said College shall be at liberty to appropriate in perpetuity a suitable piece of land out of the College estate as a site for school buildings for the said last-mentioned school, and any accumulations which have been already made, or may hereafter be made, out of the rents or income of the said endowment, may be applied by the said trustees in or towards erecting and fitting up suitable buildings for the purposes of the said school.

Approved by Her Majesty in Council, 18th August 1882.]

No. 302.

County—SURREY.

Hamlet—DULWICH.

Endowments { ALLEYN'S COLLEGE OF GOD'S GIFT.
DULWICH COLLEGE PICTURE GALLERY.

CHARITY COMMISSION.

In the Matter of the Foundation known as ALLEYN'S COLLEGE OF GOD'S GIFT at DULWICH, in the County of Surrey, originally established on or about the 13th day of September 1619, by EDWARD ALLEYN, in pursuance of a Charter or Letters Patent of King James the First, dated the 21st day of June 1619, and recently managed under an Act of Parliament, 20 & 21 Victoria, cap. 84, and of all the Endowments thereof ;

AND

In the Matter of the Foundation known as the DULWICH COLLEGE PICTURE GALLERY, originally established by the several Wills of Sir PETER FRANCIS BOURGEOIS and MARGARET DESENFANS, and of all the Endowments thereof ;

AND

In the Matter of the Endowed Schools Act, 1869, and Amending Acts.

Scheme for the Administration of the above-named Foundations and Endowments.

1. The above-named Alleyn's College of God's Gift and the endowments thereof, hereinafter called the College of God's Gift, shall, subject as herein provided, be henceforth administered by the governing bodies herein called the estates governors and the College governors respectively, according to the functions hereby assigned to them respectively, and in accordance with the provisions of this scheme, and, subject to the provision made or to be made for ecclesiastical uses under this scheme, for the following purposes, that is to say,—

(a.) To supply practical, liberal, and religious education for boys and girls by means of schools and otherwise in the hamlet of Dulwich and elsewhere in the parish of

St. Giles Camberwell, and in or near the parishes of St. Saviour Southwark, St. Botolph without Bishopsgate, St. Luke Middlesex, and elsewhere in or near London ;

(b.) To provide for the relief of poor people.

And the above-named Picture Gallery and the endowments thereof shall be henceforth administered by the College governing body hereinafter constituted, in accordance with the provisions of this scheme, under the name of Dulwich College Picture Gallery, for the purpose of promoting fine art education in England, and particularly in Dulwich and other parts of London south of the Thames.

2. Except as herein provided, the administration and management of the estates and property of the College of God's Gift shall remain vested in the governing body created by the scheme established by the above-mentioned Act of Parliament, 20 & 21 Vict. c. 84, which scheme is hereinafter referred to as the Dulwich College Act Scheme, and which governing body, in that scheme called "The Governors of Alleyn's "College at Dulwich," and consisting of eight elective governors and eleven non-elective governors, shall henceforth, except where otherwise herein referred to, be called the estates governors. The vestries of the parishes of St. Botolph without Bishopsgate, St. Saviour Southwark, St. Luke Middlesex, and St. Giles Camberwell, shall each continue to elect two of the eight elective governors respectively, and of the eleven non-elective governors three shall be residents in the hamlet of Dulwich or elsewhere in the parish of St. Giles Camberwell, or adjoining parishes, and shall be appointed by the Charity Commissioners for England and Wales, and eight shall be appointed by the College governing body hereinafter constituted.

Every appointment of an estates governor shall be made as often as there may be occasion

by the body entitled to appoint, at a meeting thereof which shall be convened, held, and conducted as nearly as may be in conformity with the ordinary rules or practice of such body, or in the case of appointments by the Charity Commissioners, at any meeting of their Board. Every estates governor, except as hereinafter provided, shall be appointed to office for the term of seven years reckoned from the date of the appointment. The elective governors in office at the date of this scheme shall, subject as herein provided, be estates governors under this scheme for the remainder of the terms for which they were respectively elected to act as elective governors, but shall in other respects be counted as estates governors elected by the said vestries respectively under this scheme. The other first estates governors shall be appointed as soon as conveniently may be after the date of this scheme. The chairman or other presiding officer of each meeting at which the appointment of any estates governors or governor shall be made, or in the case of appointments by the Charity Commissioners, such Commissioners shall forthwith cause the names or name of the persons or person so appointed to be notified, in the case of the first such appointment to the person hitherto acting as chairman of the governors of the College of God's Gift, or in case of necessity to such other person as the Charity Commissioners shall appoint for the purpose, and in the case of every subsequent appointment to the chairman of the estates governors or their clerk or other acting officer. Any appointment of an estates governor by a body entitled to appoint not made as aforesaid within three calendar months from the date of this scheme, or of the notice hereinafter prescribed of the occurrence of a vacancy, as the case may be, shall for that turn be made by the then existing estates governors.

3. The upper school of the College of God's Gift shall, except where otherwise herein expressed, be named Dulwich College, and is what is meant by the term Dulwich College as used in this scheme. The lower school of the College of God's Gift shall, except where otherwise herein expressed, be named Alleyn's School. For the administration of the schools of the College of God's Gift, and for the other educational purposes of this scheme, except as herein provided, and for the administration of the chapel endowment hereinafter mentioned, and of Dulwich College Picture Gallery, there shall be a separate governing body, called the College Governing Body, hereinafter referred to as the College governors, which, when completely formed and full, shall, subject as herein provided, consist of nineteen persons, of whom eleven shall be called nominated College

governors, and eight shall be called coöptative College governors.

4. The nominated College governors shall be competent persons duly qualified to discharge the duties of the office, and shall be appointed by the following persons and electing bodies respectively in the following proportions; that is to say,—

- One by the Lord Archbishop of Canterbury ;
- One by the Lord High Chancellor of Great Britain ;
- One by the Hebdomadal Council of the University of Oxford ;
- One by the Council of the Senate of the University of Cambridge ;
- One by the Senate of the University of London ;
- One by the President and Council of the Royal Society ;
- One by the President of the Royal Academy ;
- One by the Head Master and Assistant Masters of Dulwich College and the Head Master of Alleyn's School ; and

Three, being residents in the hamlet of Dulwich or elsewhere in the parish of St. Giles Camberwell, or adjoining parishes, by the Charity Commissioners.

The appointments by the head masters and assistant masters shall be made by means of elections to be conducted according to regulations to be settled in the first instance by the present governors of the College of God's Gift, and afterwards from time to time by the College governors, subject in every case to the approval of the Charity Commissioners. Every other appointment shall be made as often as there may be occasion by the person or body entitled to appoint, and where by an electing body, at a meeting thereof which shall be convened, held, and conducted as nearly as may be in conformity with the ordinary rules or practice of such body, or failing such rules or practice, then in conformity with regulations to be made or approved by the Charity Commissioners, or in the case of appointments by the Charity Commissioners, at any meeting of their Board. Every nominated College governor shall be appointed to office for the term of five years reckoned from the date of the appointment. The first nominated College governors shall be appointed as soon as conveniently may be after the date of this scheme. Each person appointing, or the chairman or other presiding officer of each meeting at which the appointment of any nominated College governor shall be made, or in the case of appointments by the Charity Commissioners, such Commissioners, shall forthwith cause the name or names of the person or persons so appointed to be notified, in the case of the first such appointment to the person hitherto acting as chairman of the governors of the College of God's Gift, or in case of

necessity to such other person as the Charity Commissioners shall appoint for the purpose, and in the case of every subsequent appointment to the chairman of the College governors or their clerk or other acting officer. In the case of each first appointment of a nominated College governor by any person or body other than the Charity Commissioners, the name of the person so appointed shall in like manner be notified also to the Charity Commissioners. Any appointment of a first nominated College governor not made as aforesaid within three calendar months from the date of this scheme, shall be made by the Charity Commissioners. Any appointment of a nominated College governor to be made on the occurrence of a vacancy and not made by the proper appointing or electing person or body within three calendar months from the date of the notice hereinafter prescribed of the occurrence of such vacancy, shall for that turn be made by the then existing College governors.

5. The first coöptative College governors, instead of being eight persons appointed by the College governors as hereinafter mentioned, shall be so many of the non-elective governors in office at the date of this scheme as are willing to accept the office of coöptative College governor, and, if they are less than eight in number, of so many other persons appointed as hereinafter mentioned, as will with them make up the number of eight coöptative College governors. The first coöptative College governors other than those, if any, appointed as hereinafter mentioned, shall be appointed to office, subject as herein provided, for the term of their respective lives, and their appointment shall take effect from the date of this scheme.

The coöptative College governors shall be competent persons duly qualified to discharge the duties of the office, and, except as aforesaid, shall be appointed in every case by the general body of College governors at a special meeting, by a resolution to be forthwith notified by them with all proper information to the Charity Commissioners at their office in London; but no such appointment shall be valid until it has been approved by the said Commissioners, and their approval certified under their official seal. Every coöptative College governor, except as aforesaid, shall be appointed to office for the term of seven years reckoned from the date of the approval.

6. Any estates governor or College governor who during his term of office shall become bankrupt or incapacitated to act, or express in writing to the estates governors or the College governors, as the case may require, his wish to resign, or omit for the space of one year to attend any meeting, or in the case of a governor appointed by the Charity Commissioners, shall cease to be a resident in the hamlet of Dulwich or elsewhere

in the parish of St. Giles Camberwell or adjoining parishes, shall thereupon forthwith vacate his office; and the estates governors or College governors, as the case may be, shall cause an entry to be made in their minute book of every vacancy occasioned by any of the said causes, or by death or expiration of term of office; and as soon as conveniently may be after the occurrence of any vacancy a new estates governor or College governor, as the case may be, shall be appointed by the person or body entitled as aforesaid to make such appointment, but so that, except at first as herein provided, the number of coöptative College governors shall never be more than eight. Any estates governor or College governor may be re-appointed. Notice of the occurrence of every vacancy of the office of estates governor or College governor shall be given, as soon as conveniently may be, by or under the direction of the estates governors or College governors, as the case may be, to the proper appointing or electing person or body, or the clerk, if any, or other acting officer of such body.

7. Religious opinions, or attendance or non-attendance at any particular form of religious worship, shall not in any way affect the qualification of any person for being a member of any governing body under this scheme.

8. No head master or assistant master or teacher of any school endowed or to be endowed under this scheme, or any scheme to be made under it as herein mentioned, shall be a member of any governing body under this scheme.

9. Every estates governor and every College governor shall, at or before the first meeting which he attends upon his first or any subsequent entry into office, sign a memorandum declaring his acceptance of the office and his willingness to act in the trusts of this scheme. And until he has signed such a memorandum he shall not be entitled to discharge the functions of the office. Every estates governor and every College governor shall from time to time certify his address to the estates governors or College governors, as the case may be, to which address all notices shall be sent.

10. The estates governors shall hold meetings in some convenient place in Dulwich, or elsewhere, as often as may be found necessary or desirable, and at least twice in each year, on and at convenient days and times to be appointed by such governors, and to be notified to each estates governor by the clerk, if any, or by some other person acting under the direction of the estates governors, at least seven days before every meeting.

11. A preliminary meeting of the estates governors for the arrangement of the conduct of the business shall be held upon the summons of the person hitherto acting as chairman of the governors of the College of God's Gift, or in case of necessity

of such other person as the Charity Commissioners shall appoint for the purpose, upon some day to be fixed by him, being within one calendar month after the meeting hereinafter mentioned as the last general meeting of the estates governors as hitherto constituted.

12. The estates governors shall, at the said preliminary meeting, and afterwards at their first meeting in each year, elect one of their number to be chairman of their meetings for the current year, and they shall also make regulations for supplying his place in case of his death, resignation, or absence during his term of office. The chairman shall always be re-eligible.

13. At meetings of estates governors a quorum shall be constituted when five such governors are present at a meeting, and all matters and questions, except as herein provided, shall be determined by the majority of the estates governors present at a duly constituted meeting; and in case of equality of votes the chairman shall have a second or casting vote. Any resolution of the estates governors may be rescinded or varied at a special meeting held after not less than seven days' notice.

14. The chairman, or any two estates governors, may at any time summon a special meeting for any cause that seems to him or them sufficient. All special meetings shall be convened by or under the direction of the person or persons summoning the meeting, by notice in writing specifying the object of the meeting, and delivered or sent by post to each estates governor at least seven days previously, except in cases of emergency, when two days' notice shall be sufficient. And it shall be the duty of the clerk, if any, to give such notice when required by the chairman or by any two estates governors.

15. If a sufficient number of estates governors to form a quorum are not present at any meeting, or if the business at any meeting is not fully completed, those present, or if no such governor is present, the clerk or other acting officer of such governors may adjourn the meeting to a subsequent day and time, at an interval of not less than seven days, of which day and time notice shall be given in manner aforesaid to each estates governor.

16. A minute book and proper books of account shall be provided by the estates governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for that purpose, and minutes of the entry into office of every new estates governor, and of all proceedings of the estates governors, shall be entered in such minute book.

17. The estates governors shall cause full accounts to be kept of their receipts and expenditure; and such accounts shall be stated for each year, and examined and passed by the estates

governors at a meeting to be held in the first quarter of the ensuing year, unless some other meeting shall be appointed for the purpose with the approval of the Charity Commissioners. Every such account shall be signed by the chairman and two other estates governors present at the meeting at which it shall be passed. The accounts of receipts and expenditure of the estates governors shall, before they are so examined and passed, be audited in each year by a professional auditor to be appointed and paid by the estates governors.

The estates governors shall cause sufficient abstracts of their accounts to be published annually for general information. Such abstracts shall be in the form for that purpose given in the fourth schedule hereto, so far as the same applies to such abstracts, unless some other form is prescribed by the Charity Commissioners, in which case the form so prescribed shall be followed.

18. The estates governors may from time to time make such arrangements as they may find most fitting for the custody of all deeds and other documents belonging to their several trusts, for deposit of money, for the drawing of cheques, and also for the appointment of a clerk or of any necessary agents or other proper officers for their assistance in the conduct of the business of their trusts at such reasonable salaries or scale of remuneration as shall be approved by the Charity Commissioners, but no estates governor acting as such clerk, agent, or officer shall be entitled to any salary or remuneration. If any such clerk, agent, or officer is appointed to act for two or more such trusts, the estates governors shall apportion his salary, if any, at their discretion among the trusts for which he is appointed to act.

19. The last nine foregoing clauses of this scheme relating to matters of business, and the conduct thereof, shall, except so far as the same require the accounts to be audited by a professional auditor, apply to the College governors and their business as if in such clauses the terms College governors and College governor were substituted for estates governors and estates governor respectively.

20. From and after the day after the meeting hereinafter mentioned as the last general meeting of the estates governors as hitherto constituted, such of the lands and hereditaments belonging to the above-named foundations respectively as are described in the second and third schedules hereto shall vest in the official trustee of charity lands and his successors, in trust for the estates governors and College governors respectively, according as the same are to be administered by the estates governors or the College governors under the provisions of this scheme.

21. From and after the day after the meeting

hereinafter mentioned as the last general meeting of the estates governors as hitherto constituted, all stock in the public funds and other securities belonging to the above-named foundations respectively, and not hereby required or directed to be otherwise applied or disposed of, shall be transferred to the official trustees of charitable funds in trust for the estates governors and College governors respectively, according as the same are to be administered by the estates governors or the College governors under the provisions of this scheme.

22. Except so far as relates to the lands and hereditaments described in the second and third schedules hereto, and except as herein provided as to the constitution of the body of estates governors or otherwise, section 7 of the Dulwich College Act Scheme, which section is set out in the First Schedule hereto, shall, so far as relates to any real estate coming within the operation of such section, and remaining, as herein provided, under the administration of the estates governors, remain in force. Any subsisting leases and charges of or on such last-mentioned real estate are hereby continued and confirmed.

23. Except as herein provided as to the constitution of the body of estates governors, and except so far as relates to the lands and hereditaments described in the Second and Third Schedules hereto, section 8 of the Dulwich College Act Scheme, which section is set out in the first schedule hereto, shall, so far as relates to any estate or matter remaining as herein provided under the administration of the estates governors, remain in force.

24. Subject to the provisions herein contained, all the estates and property of each of the above-named foundations not required to be retained or occupied for the purposes thereof shall be let or otherwise managed by the governing body thereof, or by the officers of such governing body acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations.

25. All capital sums to be raised under the provisions of this scheme shall be raised, subject to the sanction of the Charity Commissioners, by sale or mortgage or otherwise by means of any part of the property of the College of God's Gift, and such part shall become discharged hereby for that purpose only from any charge hereby created.

26. Any money arising from the sale of timber or from any mines or minerals on the estates of the College of God's Gift, shall be treated as capital, and shall be invested in the name of the official trustees of charitable funds, under the direction of the Charity Commissioners, in trust for the estates governors, except in any special cases in which the estates governors may be

authorized by such Commissioners to deal otherwise with such money, or any part thereof.

27. Except as herein provided, the above-named foundations, and the estates and property thereof, shall continue to be administered and managed by the present governing body as nearly as possible in conformity with the provisions of this scheme until the day after the first general meeting thereof to be held after the Midsummer Day or the Christmas Day next following the date of this scheme, whichever shall first happen. At such general meeting the accounts of the said foundations, and all accounts of the clerk and receiver and other agents of such governing body, shall be examined, vouched, audited, and signed as provided by the Dulwich College Act Scheme. From and after the day after such general meeting, herein referred to as the last general meeting of the estates governors as hitherto constituted, the said foundations, and the estates and property thereof, shall be administered and managed by the estates governors and College governors respectively, conformably with the provisions of this scheme; and the present governing body, so far as relates to matters by this scheme placed under the administration of the College governors, shall become *ipso facto* removed and discharged from their office, and shall cause all deeds, minute and account books, and other papers and documents, and all cash balances, furniture and fittings, and library books, and the portraits and other pictures bequeathed to the College of God's Gift by the Founder and by William Cartwright respectively, and all other personal effects belonging or exclusively relating to the schools of the College of God's Gift and the chapel endowment respectively, and the collection of pictures and works of art and other personal effects belonging to Dulwich College Picture Gallery, excepting in each case any stocks or securities herein required to be transferred to the official trustees of charitable funds, to be delivered or transferred to the College governors, or as such governors, or as in case of doubt or difficulty the Charity Commissioners, shall direct, and the same shall be vested in the College governors, or in accordance with any such directions as the case may be. From and after the day after the last general meeting of the estates governors as hitherto constituted, the year for all purposes of administration under this scheme shall be computed from the date up to which the accounts were made up for the then immediately preceding half-yearly audit. Such year is hereinafter referred to as the administrative year.

28. From the day after the last general meeting of the estates governors as hitherto constituted, the members of each governing body for the time being, if a quorum is constituted, may act as such governing body for all the purposes of this

scheme, although such governing body as herein constituted is not full.

29. The upper school of the College of God's Gift, except as in this clause provided, shall be carried on as nearly as may be as heretofore by the present governing body until the day after the last general meeting of the estates governors as hitherto constituted, and afterwards may be further so carried on by the College governors, out of the income hereby made applicable to Dulwich College, until the end of the school term, if any, current at that date, or until such other time as may, with the approval of the Charity Commissioners, be fixed by the College governors. After the date of this scheme no boy shall be appointed a foundation scholar in Dulwich College under the Dulwich College Act Scheme.

30. The lower school of the College of God's Gift, except as in this clause provided, shall be carried on as nearly as may be as heretofore by the present governing body until the day after the last general meeting of the estates governors as hitherto constituted, and afterwards may be further so carried on by the College governors, out of the income hereby made applicable to Alleyn's school, until the end of the school term, if any, current at that date, or until such other time as may, with the approval of the Charity Commissioners, be fixed by the College governors. After the date of this scheme no boy shall be appointed a foundation scholar in Alleyn's School under the Dulwich College Act Scheme. Until the opening of the school buildings to be provided by the College governors on the new site to be appropriated to the purposes of Alleyn's School as hereinafter mentioned, and hereinafter referred to as the new buildings for Alleyn's School, all boys admitted to this school between the date of this scheme and the 31st day of December 1880, shall pay such tuition fees, and all boys afterwards admitted to this school shall pay such entrance and tuition fees as may be sanctioned by the Charity Commissioners.

31. This scheme shall not affect such interest as any person may have in any pension or compensation allowance payable out of the income of the endowment of the College of God's Gift to which he was entitled on the 25th day of June 1868.

32. The Reverend Alfred James Carver, D.D., having elected, upon an option accorded to him, to retire from the office of Master of the College upon a pension of £1200 a year, shall, from and after the date in that behalf in this clause specified, cease to hold such office, and thereupon the said pension shall become payable out of the income of the endowment of the College of God's Gift to the said Alfred James Carver during his life in equal half-yearly instalments, of which the first shall become due at the expiration of six calendar months from the date of his ceasing as

aforsaid to hold office. The date at which he shall cease as aforsaid to hold office shall be either the day on which the first head master of Dulwich College to be appointed under this scheme, as hereinafter mentioned, enters into office, or the last day of the first three calendar months after the last general meeting of the estates governors as hitherto constituted, whichever day shall first happen.

33. The clerk, organist, and all other officers hitherto employed by the governors of the above-named foundations shall continue to perform the same duties on the same terms as heretofore, unless or until other arrangements are made by the governing body or governing bodies for the time being administering the said foundations and the endowments thereof respectively under the provisions of this scheme. The salaries of all such officers shall be apportioned and charged upon the several trusts on account of which such officers respectively shall be from time to time employed.

34. The Reverend James McCall Marshall, M.A., under master of the upper school of the College of God's Gift, shall hold the same office, rank, and title as hitherto, and shall be liable to dismissal only by the present governing body, so long as they continue to carry on the same school, and afterwards by the College governors, in the same manner as he has hitherto been liable to dismissal. During his tenure of office he shall have a house assigned to him free of charge for rent, rates, taxes, or repairs, or, if at any time the College governors so decide, a fixed payment in lieu thereof, to be settled in case the parties differ by the Charity Commissioners. During his term of office he shall also receive out of the general income of Dulwich College a fixed annual stipend of £250, and a half-yearly payment of 10s. for each boy in Dulwich College above the number of 50 boys up to 250 boys in all, and out of so much of the general income of Dulwich College as consists of one-fourth part of the tuition fees for the year such a further payment as with such fixed annual stipend of £250, and such half-yearly payments of 10s. as aforsaid, will make up a sum of £962. 10s. in the whole for the year, unless the College governors, with his consent, and upon the recommendation of the head master, decide upon some other terms, in which case he shall receive payment accordingly. After he has ceased to hold the office of under master such office shall be abolished.

35. The several assistant masters, teachers, professors, lecturers, and instructors appointed to their present offices in the upper school of the College of God's Gift before the 25th day of June 1868, shall respectively retain their said offices, without further appointment, during the pleasure of the present governing body as long as such governing body continue to carry on the same

school, and afterwards during the pleasure of the College governors.

36. Any payment, or exemption from payment, scholarship, exhibition, or other benefit to which any boy, who was on the 31st day of December 1880 on the foundation of the College of God's Gift, is legally entitled thereunder, shall be continued to him, except that in the case of any such boy in Alleyn's School, in place of such benefit as aforesaid, any benefit approved by the Charity Commissioners as being of equal value may be provided for him in a manner not inconsistent with the provisions of the Endowed Schools Act, 1869, and Amending Acts, hereinafter referred to as the Endowed Schools Acts.

All other boys in either school of the College of God's Gift admitted thereto before the 1st day of January 1881, shall be allowed to remain in the same school on the same terms as if this scheme had not been made. So much as the Charity Commissioners may approve of the difference between the fees thus payable by any such boy as last aforesaid in Dulwich College and the fees which would otherwise be payable by such boy, shall in each year be paid by the estates governors to the College governors, to be treated as income applicable for the purposes of Dulwich College, in addition to the annual payment to be made for those purposes as hereinafter mentioned.

Apportionment of Endowment and Application of Income of College of God's Gift.

37. As soon as may be after the date of the last general meeting of the estates governors as hitherto constituted, a suitable and sufficient new site for Alleyn's School shall be appropriated to the purposes of such school out of the lands and hereditaments at Dulwich belonging to the College of God's Gift, other than those described in the Second and Third Schedules hereto. Such site shall be within easy access of Camberwell, and shall be fixed and the boundaries thereof shall be determined by an order of the Charity Commissioners, to be made on the application of the College governors, of which application reasonable notice shall be given by the College governors to the estates governors. Such site shall be vested in the official trustee of charity lands and his successors, in trust for the College governors.

38. As soon as may be after the date of the last general meeting of the estates governors as hitherto constituted, and the establishment of a scheme for the girls' school of the foundation of James Allen at Dulwich, hereinafter called James Allen's Girls' School, under the Endowed Schools Acts, a suitable and sufficient site for such school shall be appropriated to the purposes of such school out of the lands and hereditaments at Dulwich belonging to the College of God's Gift,

other than those described in the second and third schedules hereto. Such site shall be within easy access of Camberwell, and shall be fixed and the boundaries thereof shall be determined by an order of the Charity Commissioners to be made on the application of the governing body of James Allen's Girls' School as constituted under the said scheme for that school, of which application reasonable notice shall be given by such governing body to the estates governors. Such site shall be vested in the official trustee of charity lands and his successors, in trust for the governing body of James Allen's Girls' School.

39. As soon as may be after the date of the last general meeting of the estates governors as hitherto constituted, the estates governors shall set apart the following capital sums, to be raised, if necessary, in the manner hereinbefore provided, and to be applied as hereinafter mentioned; that is to say:—

- (1.) Such capital sum in Government stock or cash, or partly in the one and partly in the other, as shall then represent the accumulations of income belonging to the eleemosynary branch of the College of God's Gift under the Dulwich College Act Scheme, such sum to be invested in the name of the official trustees of charitable funds, in trust for the eleemosynary branch of the College of God's Gift, and to be carried by the estates governors to the credit of the eleemosynary branch;
- (2.) A capital sum, the precise amount of which shall be determined by the Charity Commissioners, but which shall not exceed the sum of £4000, to be paid to the College governors for the purposes of Dulwich College, and to be carried by them to a separate account, to be called the Dulwich College Account;
- (3.) A capital sum of £12,000, to be paid to the College governors for the purposes of Alleyn's School, and to be carried by them to a separate account, to be called Alleyn's School Account;
- (4.) A capital sum of £6000, to be paid to the governing body of James Allen's Girls' School constituted as aforesaid, and to be by them applied for the purposes of the said scheme for that school.

40. The estates governors shall employ the annual income of the endowment of the College of God's Gift under their administration, remaining after setting apart the capital sums under the last foregoing clause, as follows, and in the following order of priority:—

Firstly, they shall pay the interest on loans, if any, existing at the date of this scheme, or raised by them under the provisions of this scheme, and pay or provide for any

yearly or other instalments or any accumulation or sinking fund on account of such loans which the circumstances may require ;

Secondly, they shall defray the expenses of management of the property of the College of God's Gift under their administration ;

Thirdly, they shall pay what may be due to any person in respect of any pension or compensation allowance hereby saved ;

Fourthly, they shall pay the pension or annual sum hereby made payable to the said Alfred James Carver ;

Fifthly, they shall carry to a separate account, to be called the Eleemosynary Branch Account, the annual sum of £1700, in trust for the eleemosynary branch of the College of God's Gift ;

Sixthly, they shall pay to the College governors for the purposes of the chapel endowment the annual sum of £500, to be carried by them to a separate account to be called the Chapel Account, and to be treated as income ;

Seventhly, they shall pay to the College governors for the purposes of Dulwich College the annual sum of £4000, to be carried by them to the credit of the Dulwich College account, and to be treated as income ;

Eighthly, they shall, from and after the opening of the new buildings for Alleyn's School, pay to the College governors for the purposes of such school the annual sum of £1000, to be carried by them to the credit of Alleyn's School account, and to be treated as income ;

Ninthly, they shall, until the opening of the new buildings for Alleyn's School, pay in each year such sum as shall be requisite for the liquidation of any deficit incurred in the maintenance of such school for that year ;

Tenthly, they shall pay to the College governors for the purposes of Dulwich College Picture Gallery the annual sum of £300, to be carried by them to the credit of the Dulwich College Picture Gallery account, and to be treated as income ;

Eleventhly, they shall, from and after the opening of new buildings for James Allen's Girls' School on the site to be appropriated to the purposes of such school under this scheme as aforesaid, pay to the governing body of such school constituted as aforesaid the annual sum of £500, to be by them applied for the purposes of that school ;

Twelfthly, subject as hereinafter provided, they shall carry to separate accounts, to be

applied as hereinafter provided, the annual sum of £500 for the educational benefit of the parish of St. Saviour Southwark, the annual sum of £500 for the educational benefit of the parish of St. Botolph Without Bishopsgate, and the annual sum of £500 for the educational benefit of the parish of St. Luke Middlesex.

Lastly, they shall, during the first ten administrative years after the date of this scheme, or during such lesser time as the Charity Commissioners shall direct, accumulate the residue of the income of the endowment of the College of God's Gift, under their administration, by investment of the same and of the resulting income thereof in the name of the official trustees of charitable funds, in trust for the estates governors.

Each of the several above-mentioned annual sums to be paid to the College governors and the aforesaid governing body of James Allen's Girls' School respectively shall be payable in half-yearly instalments, of which, except as herein provided, the first shall become due at the expiration of six calendar months from the commencement of the first administrative year, but of the annual sums to be paid to the College governors and carried to the credit of Alleyn's School account, and the annual sums to be paid to the aforesaid governing body of James Allen's Girls' School respectively, the first, in the case of each school, shall become due at the expiration of six calendar months from the opening of new buildings for such school as above mentioned.

41. Each of the said three annual sums of £500, £500, and £500, to be applied for the educational benefit of the three parishes last aforesaid, shall, until the establishment of a further scheme, as hereinafter mentioned, for the application of the same sum, be in the first instance applied by the estates governors, so far as may be necessary, and as nearly as can be calculated, in providing in manner aforesaid for the benefits hereinbefore reserved to boys appointed from such three parishes who were on the 31st day of December 1880 on the foundation of the College of God's Gift, either in the lower school or as exhibitors from such school, the cost of providing such benefits to be charged rateably upon the said annual sums respectively assigned as aforesaid for the educational benefit of the parishes from which such boys were appointed. Subject as aforesaid, each of such three annual sums shall, until the establishment of a further scheme, as hereinafter mentioned, for the application of the same sum, be applied by the estates governors, if they think fit, in the advancement of the education of boys and girls in a manner not inconsistent with the provisions

of the Endowed Schools Acts by means of exhibitions tenable at schools higher than elementary in or within easy access of the parish for the educational benefit of which such sum is assigned as aforesaid, and so far as not so applied shall be invested in the name of the official trustees of charitable funds, in trust for the purposes of such further scheme. The exhibitions, if any, under this clause shall be given as the reward of merit, and, subject as aforesaid, shall be awarded and held under such regulations and conditions as the estates governors think fit.

42. At the expiration of the said first ten administrative years, or such lesser time as aforesaid, the estates governors shall set apart, to be applied in accordance with schemes to be made for the purpose under the Endowed Schools Acts, the following capital sums out of the then accumulated income of the endowment of the College of God's Gift under the administration of the estates governors, so far as the same shall be sufficient, and so far as the same may be insufficient to be raised in the manner hereinbefore provided; that is to say:—

- (1.) For the purposes of St. Saviour's Grammar School in Southwark, or of some other middle school or schools for the parish of St. Saviour Southwark, a capital sum of £15,000.
- (2.) For the purposes of a middle school or middle schools for the parishes of St. Botolph Without Bishopsgate, and St. Luke Middlesex, a capital sum of £50,000.

43. From and after the expiration of the said first ten administrative years, or such lesser time as aforesaid, the said three annual sums of £500, £500, and £500 last hereinbefore mentioned shall be applied, in accordance with schemes to be made for the purpose under the Endowed Schools Acts, in manner following; that is to say:—One such annual sum of £500 shall be so applied for the purposes of the school or schools for the parish of St. Saviour Southwark, to be endowed under the last foregoing clause, and the remaining two such annual sums of £500 and £500, making together the annual sum of £1000, shall be so applied for the purposes of the school or schools for the parishes of St. Botolph Without Bishopsgate, and St. Luke Middlesex, to be endowed under the last foregoing clause.

44. Any of the said three annual sums of £500, £500, and £500 last hereinbefore mentioned may, under an order of the Charity Commissioners, be commuted for such a capital sum as they shall approve, to be raised in the manner hereinbefore provided, and thenceforth this scheme shall be read as if any consequent modifications had been made in it.

45. From and after the expiration of the said

first ten administrative years, or such lesser time as aforesaid, the estates governors shall, subject to the provisions of any schemes to be made under the Endowed Schools Acts, make a further distribution of income of the College of God's Gift in manner following; that is to say:—For the purposes of Alleyn's School, for the purposes of James Allen's Girls' School after the establishment of a scheme for such school under the Endowed Schools Acts, for the purposes of St. Saviour's Grammar School in Southwark or such other middle school or schools for the parish of St. Saviour Southwark as may be endowed under this scheme as aforesaid, and for the purposes of such middle school or middle schools for the parishes of St. Botolph Without Bishopsgate and St. Luke Middlesex as may be endowed under this scheme as aforesaid, a sum by way of capitation money, at an uniform rate of not more than £2 a year for every scholar in average annual attendance at each of such schools: Provided that the sum payable by way of capitation money under this clause in any year for scholars in attendance at Alleyn's School shall not exceed £500; for scholars in attendance at James Allen's Girls' School shall not exceed £500; for scholars in attendance at St. Saviour's Grammar School in Southwark or at such other middle school or schools for the parish of St. Saviour Southwark as may be endowed under this scheme as aforesaid shall not exceed £500; for scholars in attendance at such middle school or middle schools for the parishes of St. Botolph Without Bishopsgate and St. Luke Middlesex as may be endowed under this scheme as aforesaid shall not exceed £1000.

46. After providing for such further distribution of income as hereinbefore prescribed, the estates governors shall pay the capital sum of £4000, to be raised, if necessary, in the manner hereinbefore provided, to the College governors, to be applied by them in the erection of a suitable building for a School of Fine Art as herein-after provided.

47. Any further surplus income of the endowment of the College of God's Gift under the administration of the estates governors shall be invested in the name of the official trustees of charitable funds, in trust for the estates governors, and shall be applicable in the first place to the establishment and maintenance in London, south of the Thames, of a college or school of the highest class for girls. For this purpose the estates governors shall, when and so soon as the occasion shall arise, apply to the Charity Commissioners for a supplementary scheme, to be made under the Endowed Schools Acts.

48. The College governors shall also, if and when funds become available for the purpose, provide for the better protection of the Picture Gallery from fire, by isolation, removal, or other-

wise, in such manner as may be sanctioned by the Charity Commissioners, and for this purpose the estates governors shall pay to the College governors such further sums, to be raised, if necessary, in the manner hereinbefore provided, as in the opinion of the Charity Commissioners may be reasonable and proper.

49. If at any time after provision has been made for all the requirements hereinbefore expressed, there shall be surplus income of the endowment of the College of God's Gift under the administration of the estates governors, for the application of which further directions shall be necessary, the estates governors shall apply to the Charity Commissioners for a supplementary scheme, to be made under the Endowed Schools Acts, for the application of such surplus income, and in framing any scheme for that purpose the Charity Commissioners shall have regard to the educational purposes of this scheme hereby placed under the administration of the College governors, and to the claims of the four parishes of St. Giles Camberwell, St. Saviour Southwark, St. Botolph Without Bishopsgate, and St. Luke Middlesex.

The Eleemosynary Endowment.

50. The eleemosynary branch and its endowment shall be administered by the estates governors. Subject to the provisions hereinafter contained, this endowment shall consist of the almshouses of the College of God's Gift, and other buildings described in the second schedule hereto, with their respective sites and appurtenances, and of the above-mentioned capital sum representing accumulations of income belonging to the eleemosynary branch of the College of God's Gift, under the Dulwich College Act Scheme, together with the cash balance, if any, belonging to such eleemosynary branch, and of the said annual sum of £1700 hereby directed to be carried to a separate account in trust for the eleemosynary branch. The said almshouses, buildings, and premises shall be maintained and administered by the estate governors, and the income of the eleemosynary endowment shall be applied by them to such maintenance, and otherwise for the benefit of poor persons, according to the trusts of the eleemosynary branch of the College of God's Gift in force at the date of this scheme, subject nevertheless to the provisions hereinafter contained.

51. The right of appointing the almspeople shall be vested in the vestries of the several parishes hitherto entitled to submit names of candidates, so that on the occurrence of any vacancy, the vestry which would have been entitled to submit names shall be entitled to make an absolute appointment: Provided that, in lieu of the preference heretofore reserved in favour of

persons resident in the township or hamlet of Dulwich, every alternate person appointed by the vestry of the parish of St. Giles Camberwell shall be a person who has been for at least one year immediately before the appointment resident in the said township or hamlet.

52. The estates governors may at any time, with the consent of the vestry of any one of the four parishes from among the residents in which parishes almspeople are to be chosen and appointed, and with the sanction of the Charity Commissioners, make a regulation that any annual sum not exceeding one equal fourth part of the income of the eleemosynary endowment shall thenceforth be applicable to the provision of exhibitions tenable by children attending or having attended public elementary schools of such parish upon terms to be settled by such regulation, due regard being had in the case of the parish of St. Giles Camberwell to the educational interests of persons resident in the township or hamlet of Dulwich; and from and after the making of any such regulation the annual sum applicable out of the income of the College of God's Gift for eleemosynary purposes shall be reduced by an amount equal to the annual sum so made applicable to the provision of such exhibitions, provided that such regulation shall not in any case be inconsistent with anything contained in the Endowed Schools Acts, or affect any of the said four parishes of which the vestry shall not have consented thereto.

53. From and after the opening of the new buildings for Alleyn's School, the almshouses adjoining to the Dulwich College Picture Gallery shall cease to be used as almshouses, and shall be vacated accordingly, and the estates governors shall, subject to the sanction of the Charity Commissioners, adapt to the purposes of almshouses the buildings now used for the lower school of the College of God's Gift, or any part of such buildings, except any part thereby otherwise appropriated, and apply the same in substitution for the almshouses in this clause aforesaid; and for this purpose a capital sum may be raised, if necessary, in the manner hereinbefore provided. The management of the almshouses so vacated as aforesaid shall pass to the College governors, and such almshouses with their sites and appurtenances shall thenceforth be part of the endowment of Dulwich College Picture Gallery, and be held by the official trustee of charity lands and his successors, in trust for the College governors accordingly.

The Chapel Endowment.

54. The chapel endowment shall be administered by the College governors. It shall consist of the chapel of the College of God's Gift, with the fittings and furniture thereof, and of the

chaplain's house with the garden appropriated thereto, and their respective sites and appurtenances, described on Part I. of the Third Schedule hereto, or other property to be substituted for the same, and of the cash balance, if any, belonging to the chapel, and the said annual sum of £500 to be paid to the College governors and carried by them to the chapel account, as hereinbefore provided, and of all other property hereafter to become part of the chapel endowment under this scheme or otherwise.

55. In order to promote the immediate or early formation of a new ecclesiastical district for or to include the township or hamlet of Dulwich, the estates governors may, on receiving a requisition in writing to that effect from the College governors, sanctioned by the Charity Commissioners, grant out of the property of the College of God's Gift a site for a new church or parsonage, or both, and if such new church is erected may, with the sanction of and upon terms approved by the Charity Commissioners, expend upon or subscribe towards the building of the same or of a parsonage house, or of both, a capital sum not exceeding the sum of £2500, to be raised, if necessary, in the manner hereinbefore provided.

56. The Venerable Samuel Cheetham, D.D., the present chaplain, shall continue in office as the first chaplain under this scheme until the formation of a new ecclesiastical district for or to include the township or hamlet of Dulwich, and afterwards, if such formation occurs during his tenure of office, on the same conditions as to tenure, duties, and emoluments as are prescribed in the next following clause. After such a new ecclesiastical district is formed, and the said Samuel Cheetham, or any other person holding the office of chaplain at the time of such formation, ceases to hold office, no new appointment of a chaplain shall be made under this scheme, except as hereinafter provided, and the said annual sum of £500 to be paid to the College governors, and carried by them to the chapel account, shall thenceforth either be paid to the incumbent of such ecclesiastical district, or be applied in the payment of a chaplain or for the maintenance of divine service in the chapel, or in part be paid to such incumbent, and as to the remainder be applied in the payment of a chaplain, or for the maintenance of divine service in the chapel, but any such payment or application shall be in accordance with directions to be given by the Charity Commissioners, and the College governors shall apply to them for such directions accordingly.

57. Until the formation of a new ecclesiastical district for or to include the township or hamlet of Dulwich, and after such formation until the said Samuel Cheetham or any other person holding the office of chaplain at the time of such for-

mation ceases to hold office, the present chapel and the chapel endowment shall be managed as follows ; that is to say :—

- (a.) There shall be one chaplain, who shall be a duly qualified person in priest's orders of the Established Church. On the occurrence of a vacancy a chaplain shall be appointed by the College governors. The College governors may remove the chaplain for neglect of duty or other sufficient cause.
- (b.) The chaplain shall perform divine service in the chapel of the College of God's Gift on Sundays, and on such other days and at such time as the College governors shall from time to time direct, and he shall discharge such spiritual duties for the benefit of the almspeople of the said foundation as the estates governors with the assent of the College governors shall authorize and direct, and also, so far as may be lawful and convenient, all such spiritual duties for the benefit of the township or hamlet of Dulwich and the inhabitants thereof, as the chaplain has hitherto been bound to perform.
- (c.) The house hitherto occupied by the chaplain shall continue to be appropriated to his use free of rent, and the College governors shall provide for repairs of the same, and for payment of the rates and taxes thereon out of the annual sum to be carried by them to the credit of the chapel account as aforesaid. The chaplain shall reside in such house, and shall have the occupation and use thereof in respect of his official character and duties, and not as tenant, and shall, if removed from his office, thereupon deliver up possession of such house to the College governors, or as they direct.
- (d.) The College governors shall pay to the chaplain out of the annual sum of £500 to be carried by them to the credit of the chapel account as aforesaid, by equal half-yearly payments, a clear annual stipend not exceeding £350 and not less than £300.
- (e.) The College governors may apply the residue of the said annual sum of £500 in or towards the payment of the present or any future organist for the chapel, or otherwise in the maintenance of the chapel and the services thereof. They shall in each year carry any unapplied surplus of such annual sum to the credit of the chapel account.
- (f.) The present chapel of the College of God's Gift shall continue to be appropriated and used as a place of divine worship as heretofore. The College governors may, if they think fit, declare any number of the sittings to be free, or may require of any

persons frequenting the chapel, not being masters or scholars of any of the schools of the College of God's Gift, the payment of any reasonable sums by way of pew rent, to be applied towards the expenses of the chapel and the maintenance of the services thereof: Provided that no such payment shall be required in respect of any pew or sitting in the chapel, which shall have been annexed or appropriated to any house in the township or hamlet of Dulwich under any agreement or resolution of the governing body for the time being of the College of God's Gift, during the continuance of the term or period for which such pew or sitting shall have been so annexed or appropriated.

The Schools and their Management.

58. The two present schools of the College of God's Gift, hereinbefore named respectively, that is to say, Dulwich College and Alleyne's School, shall be maintained under this scheme. Alleyne's School shall, subject as herein provided, be a day school only.

59. Dulwich College and the endowment thereof shall be administered by the College governors in accordance with the provisions of this scheme. Dulwich College shall be maintained in the buildings known as the New College, and the gardens, cricket field, and playgrounds appropriated thereto, which buildings and lands are described in Part II. of the Third Schedule thereto, with their respective appurtenances. The endowment of Dulwich College shall consist of the same buildings and premises, with the fittings and furniture thereof, and the said capital sum not exceeding £4000, to be paid to the College governors, and carried by them to the Dulwich College account as hereinbefore provided; and the cash balance, if any, belonging to the upper school of the College of God's Gift, and the said annual sum of £4000, to be paid to the College governors and carried by them to the Dulwich College account, as hereinbefore provided, and of all other property hereafter to become part of the same endowment under this scheme or otherwise.

60. The College governors shall, as soon as conveniently may be, complete the fencing of Dulwich College and the grounds thereof, and provide a gymnasium and five courts, and such other suitable buildings in the said grounds for the use of the scholars of Dulwich College as they may think fit, and for such purposes they may apply the said capital sum not exceeding £4000 to be paid to the College governors and carried by them to the Dulwich College account as aforesaid; but for all the purposes of this

clause they shall act subject to the consent and approval of the Charity Commissioners.

61. Alleyne's School and the endowment thereof shall be administered by the College governors in accordance with the provisions of this scheme.

62. As soon as conveniently may be the College governors, by erecting buildings upon the site to be appropriated to the purposes of the Alleyne's School as aforesaid, shall provide proper school buildings suitable for not less than 400 day scholars, and planned with a view to convenient extension, and may apply for the purpose the whole or any part of the said capital sum of £12,000 to be paid to them by the estates governors; but for all the purposes of this clause the College governors shall act subject to the consent and approval of the Charity Commissioners.

63. The endowment of Alleyne's School shall consist of the site and buildings referred to in the last foregoing clause, and the said capital sum of £12,000 or so much thereof as shall remain unexpended after providing the same buildings, and the cash balance, if any, belonging to the lower school of the College of God's Gift, and the said annual sum of £1000 to be paid to the College governors and carried by them to Alleyne's School account, as hereinbefore provided, and of all other property hereafter to become part of the same endowment under this scheme or otherwise.

64. No person shall be disqualified for being a head master or assistant master or teacher in either of the schools by reason only of his not being, or not intending to be, in holy orders.

65. The parent or guardian of, or person liable to maintain or having the actual custody of, any scholar attending either of the schools as a day scholar, may claim by notice in writing addressed to the head master the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly, and a scholar shall not, by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantage or emolument in either of the schools or out of the endowment of either of the above-named foundations, to which he would otherwise have been entitled.

If the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend Dulwich College, and who but for this clause could only be admitted as a boarder, desires the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, but the persons in charge of the boarding houses of Dulwich College are not willing to

allow such exemption, then it shall be the duty of the College governors to make proper provisions for enabling the scholar to attend Dulwich College and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he would otherwise have been entitled. So long as, for the purpose of continuing any benefits hereinbefore reserved to boys in Alleyn's School, who were on the 31st day of December 1880 on the foundation of the College of God's Gift, such boys are allowed to be received in Alleyn's School as boarders, a like provision shall be applicable to Alleyn's School in respect of such boys.

If any teacher, in the course of other lessons at which any scholar exempted under this clause is in accordance with the ordinary rules of either of the schools present, shall teach systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed, as in this clause before provided, the College governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

66. Subject to the provisions herein contained, the College governors and the head master of each of the schools shall, within their respective departments as herein defined, make proper provisions for religious instruction in such school. No alteration in any regulations made by the College governors respecting the religious instruction given in either of the schools shall take effect until the expiration of not less than one year after notice of the making of the alteration shall have been given by the College governors in such manner as they shall think best calculated to bring the matter within the knowledge of persons interested in such school.

Dulwich College.

67. There shall be a head master of Dulwich College, who shall be called the Master of Dulwich College. He shall be a graduate of some University in the United Kingdom. The Master shall be appointed by the College governors at some meeting to be called for that purpose, in the case of the first appointment, not less than two nor more than three calendar months after the date of the last general meeting of the estates governors as hitherto constituted, and in the case of subsequent appointments, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates,

the College governors shall, for a sufficient time before making any appointment, give public notice of the vacancy, and invite applicants for the office by advertisements in newspapers, and by such other methods as they may judge best calculated to secure the object.

68. The College governors may dismiss the Master without assigning cause, after six calendar months' written notice, given to him in pursuance of a resolution passed at two consecutive meetings held at an interval of at least fourteen days, and convened for the purpose of considering the question, such resolution being affirmed at each meeting by not less than two-thirds of the College governors present.

The College governors for what in their opinion is urgent cause may by resolution passed at a special meeting convened for the purpose of considering the question, and affirmed by not less than two-thirds of the whole number of College governors for the time being, declare that the Master ought to be dismissed from his office without the aforesaid notice, and in that case they may appoint another special meeting to be held not less than a week after the former one, and may then by a similar resolution, affirmed by as large a proportion of College governors, absolutely and finally dismiss him. And if the College governors assembled at the first of such meetings think fit at once to suspend the Master from his office until the next meeting, they may do so by resolution affirmed by as large a proportion of College governors. Full notice and opportunity of defence at both meetings shall be given to the Master.

69. The Master, previously to entering into office, shall be required to sign a declaration, to be entered in the minute book of the governors, to the following effect:—

"I, _____, declare that I will
 "always to the best of my ability dis-
 "charge the duties of Master of Dulwich
 "College during my tenure of the office,
 "and that if I am removed by the College
 "governors, I will acquiesce in such re-
 "moval, and will thereupon relinquish
 "all claim to the mastership and its
 "future emoluments, and deliver up to
 "College governors or as they direct,
 "possession of all the property of Dulwich
 "College then in my possession or occupa-
 "tion."

70. The Master shall dwell in the residence assigned for him. He shall have the occupation and use of such residence and of any other property of Dulwich College of which he becomes the occupant as such Master, in respect of his official character and duties, and not as tenant, and shall, if removed from his office, deliver up possession of such residence and other property

to the College governors, or as they direct. He shall not, except with the permission of the College governors, permit any person not being a member of his family to occupy such residence or any part thereof.

71. The Master shall give his personal attention to the duties of Dulwich College, and during his tenure of office he shall not hold any benefice having the cure of souls, or undertake any office or employment which, in the opinion of the College governors, may interfere with the proper performance of his duties as master.

72. Neither the Master nor any assistant master or other teacher shall receive or demand from any boy in Dulwich College, or from any person whomsoever on behalf of any such boy, any gratuity, fee, or payment, except such as are authorized by or under this scheme.

73. Within the limits fixed by this scheme, the College governors shall prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the arrangements respecting the school terms, vacations, and holidays, the payments of day scholars, and the number and payments of boarders. They shall take general supervision of the sanitary condition of the Dulwich College buildings and arrangements. They shall determine what number of assistant masters or other teachers shall be employed. They shall every year assign the amount which they think proper to be contributed out of the income applicable to Dulwich College under this scheme for the purpose of maintaining assistant masters or other teachers, and providing and maintaining a proper school plant or apparatus, and otherwise furthering the current objects and the efficiency of Dulwich College.

74. Before making any regulations under the last foregoing clause, the College governors shall consult the Master in such a manner as to give him full opportunity for the expression of his views. The Master may also from time to time submit proposals to the College governors for making or altering regulations concerning any matter within their province. The College governors shall fully consider any such expression of views or proposals, and shall decide upon them.

75. Subject to the rules prescribed by or under the authority of this scheme, the Master shall have under his control the choice of books, the method of teaching, the arrangement of classes and school hours, and generally the whole internal organization, management, and discipline of Dulwich College, including the power of expelling boys therefrom, or suspending them from attendance thereat, for any adequate cause to be judged of by him, but upon expelling or suspending any boy shall forthwith report the case to the College governors.

76. The Master shall have the sole power of appointing, and (subject to the provisions hereinbefore contained as to the present under master, and as to the several assistant masters, teachers, professors, lecturers, and instructors appointed to their present offices in the upper school of the College of God's Gift before the 25th day of June 1868) may at pleasure dismiss all assistant masters or other teachers in Dulwich College, and shall determine, subject to the approval of the College governors, in what proportions the sum assigned by the College governors for the maintenance of assistant masters or other teachers, or the other current objects of Dulwich College, shall be divided among the various persons and objects for which it is assigned in the aggregate. And the College governors shall pay the same accordingly either through the hands of the Master or directly as they think best.

77. The Master shall receive a fixed annual stipend of £200. He shall also be entitled to receive for each boy attending Dulwich College a further or capitation payment, at the rate of £4 a year for each boy up to the number of 200 boys, at the rate of £3 a year for each boy above that number up to the number of 400 boys in all, and at the rate of £2 a year for each boy beyond the number of 400 boys. The amount of this further or capitation payment shall be ascertained and paid to the Master by the College governors, together with the proper proportion of his fixed stipend quarterly or terminally as the College governors think fit.

78. The College governors may make such regulations and arrangements as they may think right for the reception of boarders, either in the house of any assistant master, or of any person in whose house boarders were allowed on the 31st day of December 1878, being the date of publication of this scheme, or in a hostel or hostels conducted under the management of the College governors, or, if they think fit, in all or any of those ways; provided that the total number of boarders shall not, unless with the express sanction of the Charity Commissioners (which sanction they may at any time withdraw on giving reasonable notice to the College governors) exceed 100.

79. All boys, including boarders, except as herein provided, shall pay entrance and tuition fees, to be fixed from time to time by the College governors, such entrance fees being not more than £3 for any boy, and such tuition fees being at the rate of not less than £20 nor more than £30 a year for any boy. No difference in respect of entrance or tuition fees shall be made between any scholars on account of place of birth or residence, or of their being or not being boarders. The payments to be required from boarders, exclusive of the tuition fees, shall not exceed the

annual rate of £50 in a hostel, or £70 in any assistant master's house, for any boy. No extra or additional payment of any kind shall be allowed without the sanction of the College governors and the written consent of the parent, or person occupying the place of parent, of the scholar concerned.

80. All payments for entrance and tuition fees shall be made in advance to the Master, or to such other person as the College governors shall from time to time determine, and shall be accounted for by the person receiving them to the College governors, and treated by them, subject as herein provided, as part of the general income of Dulwich College.

81. No boy shall be admitted into Dulwich College under the age of ten years. No boy shall remain in Dulwich College after the age of nineteen years, or if he attains that age during a school term, then after the end of such term, except with the permission of the College governors, which in special cases may be given upon the recommendation of the Master.

82. Subject to the provisions established by or under the authority of this scheme, Dulwich College and all its advantages shall be open to all boys of good character and sufficient health who are residing with their parents, guardians, or near relations within degrees to be determined by the College governors, or in some boarding-house conducted under regulations made by the College governors. No boy not so residing shall be admitted to Dulwich College without the special permission of the College governors.

83. Applications for admission to Dulwich College shall be made to the Master, or to some other person appointed by the College governors, according to a form to be approved of by them, and delivered to all applicants.

84. The Master or some other person appointed by the College governors shall keep a register of applications for admission, showing the date of every application, and of the admission, withdrawal, or rejection of the candidate, and the cause of any rejection and the age of each candidate.

85. Every candidate for admission shall be examined by or under the direction of the Master, who shall appoint convenient times for that purpose, and give reasonable notice to the parents or next friends of the boy to be so examined. No boy shall be admitted to Dulwich College except after undergoing such examination and being found fit for admission. Those who are so found fit shall, if there is room for them, be admitted in order according to the dates of their application. If there is not room for all candidates, boys belonging to the parishes of St. Giles Camberwell, St. Saviour Southwark, St. Botolph Without Bishopsgate, and St.

Luke Middlesex, shall be preferred; and as between boys belonging to the parish of St. Giles Camberwell, children of resident inhabitants of the township or hamlet of Dulwich shall, in cases of equal merit, be preferred.

86. The examination for admission shall be graduated according to the age of the boy, and shall be regulated in other particulars from time to time by or under the direction of the College governors, but it shall never for any boy fall below the following standard; that is to say:—

Reading;

Writing from dictation;

Sums in the first four simple rules of Arithmetic, with the Multiplication Table;

Outlines of the Geography and History of England;

The Translation and Parsing of simple Latin sentences.

87. Besides religious instruction as hereinbefore provided, instruction shall also be given in Dulwich College in the following subjects:—

The English, Latin, and Greek Languages and Literatures;

Arithmetic and Mathematics;

History and Geography;

Natural Science;

French and German;

Drawing, Vocal Music, and Drill.

The governors, after consultation with the Master, may establish a department or departments for special instruction in surveying, engineering, or other subjects not enumerated above. Subject to the above provisions, the course of instruction shall proceed according to the classification and arrangements made by the Master.

88. There shall be once in every year an examination of the scholars by an examiner or examiners appointed or approved for that purpose by the College governors, but otherwise unconnected with Dulwich College. The day of examination shall be fixed by the College governors after consulting with the Master. The examiner or examiners shall report in writing to the College governors on the proficiency of the scholars, and on the condition of Dulwich College as regards instruction and discipline, as shown by the result of the examination. The College governors shall send a copy of the report to the Master and to the Charity Commissioners.

89. The Master shall make a report in writing to the College governors annually at such time as they shall direct on the general condition and progress of Dulwich College, and on any special occurrences during the year. He may also mention the names of any boys who, in his judgment, are worthy of reward or distinction, having regard both to proficiency and conduct.

90. The College governors may award prizes of

books or other suitable rewards as marks of distinction to any boys mentioned as worthy of reward or distinction by the Master or by the examiner or examiners.

91. The College governors shall apply the annual sum of £1000, or as near that sum as, in their opinion, the income of Dulwich College will allow, in maintaining scholarships tenable at Dulwich College, each of an annual value not greater than the highest tuition fee fixed for boys in Dulwich College at the time of the award of such scholarship. These scholarships shall be awarded in such manner as to encourage proficiency in the several subjects, special as well as ordinary, that may be taught in Dulwich College. They shall be granted for such periods and, subject to the provisions of this scheme, on such conditions as the College governors think fit. Boys to whom such scholarships shall be awarded shall be called Foundation Scholars. These scholarships shall be awarded on the result of any such examination as the College governors think fit, but no such scholarship shall be granted to any boy already attending Dulwich College, unless the Master shall report that he is deserving of it by reason of his character and good conduct, and no such scholarship shall be granted for which there shall be no candidate who on examination shall be adjudged worthy to take it. The establishment of these scholarships may take place by degrees according to the discretion of the College governors, so long as there are any boys in Dulwich College who were admitted into the upper school of the College of God's Gift before the 1st day of January 1881.

92. Subject to such reasonable regulations, not inconsistent with the provisions of this scheme, as the College governors may from time to time prescribe, the College governors shall apply an annual sum of not less than £1000 in maintaining exhibitions of an annual value of not more than £75 each, tenable for not more than four years at the Universities of Oxford or Cambridge, or any other place of higher education or professional training approved by the College governors, and to be awarded to boys who are being and have for not less than three years been educated at Dulwich College. The establishment of these exhibitions may take place by degrees, according to the discretion of the College governors, so long as the term of any exhibition or scholarship awarded under section 64 of the Dulwich College Act Scheme before the 1st day of January 1881 remains unexpired.

93. Every scholarship and exhibition shall be given as the reward of merit, and shall be freely and openly competed for, and shall be tenable only for the purposes of education. If the holder shall, in the judgment of the College governors,

be guilty of serious misconduct or idleness, or fail to maintain a reasonable standard of proficiency, or wilfully cease to pursue his education, the College governors may at once determine the scholarship or exhibition, and for this purpose, in the case of an exhibition held away from Dulwich College, may act on the report of the proper authorities of the place of education at which the exhibition is held, or on such other evidence as the College governors think sufficient. For the purposes of this clause the decision of the College governors shall be final in every case.

94. The College governors shall place the annual sum of £1700 to a separate account, entitled "Dulwich College Management Account." The money for the time being standing to the credit of such account shall be applied by the College governors in paying all rates and taxes due in respect of the buildings of Dulwich College and their appurtenances, in insuring the same against loss or damage by fire, in effecting repairs of property used for the purposes of Dulwich College, and in paying any other expenses of management of property and business, and so far as not wanted for these purposes, shall be accumulated so as to form a fund for the like purposes, or for improvements of such property, in any future year or years, but all expenditure out of such accumulated fund shall be subject to the control of the Charity Commissioners.

95. The College governors may, if they think fit and the income at their disposal suffice for the purpose, agree with the Master of Dulwich College for the formation of a fund in the nature of a pension or superannuation fund, the main principles of such agreement being that the Master and the College governors respectively shall contribute annually for a period of twenty years such sums as may be fixed on; that these contributions shall accumulate at compound interest; that in case the Master serves his office for twenty years, he shall on his retirement be entitled to the whole of the accumulated fund; that in case he retires earlier on account of permanent disability from illness, he shall also be entitled to the whole of the same fund; that in all other cases he or his legal representative shall, on his ceasing to be Master, be entitled to the amount produced by his own contributions, and to so much, if any, of the remainder of the same fund as the College governors, with the approval of the Charity Commissioners, may think proper. If any question shall arise upon the construction or working of this provision, the same shall be referred by the College governors to the Charity Commissioners, whose decision thereon shall be final and conclusive.

96. Subject to the payment of any necessary or proper outgoings, any income of Dulwich College

not applied under the foregoing provisions relating to Dulwich College, and not needed as a balance to meet current expenses, may be applied for the purposes of Dulwich College in improving the College library, or the accommodation or convenience of the buildings or premises of Dulwich College, or generally in extending or otherwise promoting the objects and efficiency of Dulwich College, and so far as not so applied shall, on passing the annual accounts, be invested in the name of the official trustees of charitable funds, in trust for Dulwich College in augmentation of its endowment.

Alleyn's School.

97. The Reverend Joseph Henry Smith, the present master of the lower school of the College of God's Gift, shall retain office as the head master of Alleyn's School under this scheme.

98. Every head master of Alleyn's School shall be a graduate of some University in the United Kingdom, or have such other qualification or certificate or other test of his attainments as may be fixed from time to time by any regulation of the College governors approved by the Charity Commissioners. He shall receive a fixed stipend of £100 a year. He shall also receive a further or capitation payment calculated on such a scale, uniform or graduated, as may be fixed from time to time by the College governors, at the rate of not less than £1 nor more than £2 a year for each boy attending the school; but the whole amount of the head master's emoluments under this clause shall not exceed the sum of £700 in any one year. Until the opening of the new buildings for Alleyn's School, the head master, in place of payment under the foregoing provisions, shall receive such emoluments as he would have been entitled to if this scheme had not been made. The College governors may arrange that for the first year after the opening of such new buildings the income of the head master under this clause shall be made up to £700 out of the income of Alleyn's School.

99. After the opening of the new buildings for Alleyn's School, all boys, except as herein provided, shall pay entrance and tuition fees to be fixed from time to time by the College governors, such entrance fees being not more than £1 for any boy, and such tuition fees being at the rate of not less than £4 nor more than £8 a year for any boy.

100. No boy shall be admitted into the school under the age of eight years. No boy shall remain in the school after the age of sixteen years, or if he attains that age during a school term, then after the end of such term, except with the permission of the College governors, which in special cases may be given upon the recommendation of the head master.

101. The examination for admission shall never for any boy fall below the following standard; that is to say:—

Reading;
Writing text-hand;
Sums in the first two simple rules of Arithmetic with the Multiplication Table.

102. Besides religious instruction as hereinbefore provided, instruction shall also be given in the school in the following subjects:—

Reading, Writing, and Arithmetic;
Geography and History;
English Grammar, Composition, and Literature;
Mathematics;
Latin;
At least one Foreign European Language;
Natural Science;
Drawing, Vocal Music, and Drill.

The College governors may, however, provide that the course of secular instruction shall be adjusted with a special regard to industrial or technical training, and that it shall comprise instruction in geometry, practical and experimental science, and drawing with reference particularly to mechanics and engineering.

103. After the opening of the new buildings for Alleyn's School, the College governors shall apply the annual sum of £200 in maintaining scholarships tenable at Alleyn's School, each of an annual value not greater than the highest tuition fee fixed for boys in Alleyn's School at the time of the award of such scholarship. These scholarships shall be granted for such periods and, subject to the provisions of this scheme, on such conditions as the governors think fit. Boys to whom such scholarships shall be granted shall be called Foundation Scholars. Ten of these scholarships shall be competed for in the first instance by boys who are being and have for not less than three years been educated at any of the public elementary schools in the parish of St. Giles Camberwell, and the College governors shall make such arrangements relating to the elections to these ten scholarships as seem to them best adapted to secure the double object of attracting good scholars to Alleyn's School, and advancing education of such public elementary schools. All these scholarships shall be awarded on the result of any such examination as the College governors think fit, but no such scholarship shall be granted to any boy already attending Alleyn's School unless the head master shall report that he is deserving of it by reason of his character and good conduct, and no such scholarship shall be granted for which there shall be no candidate who on examination shall be adjudged worthy to take it. The establishment of the scholarships may take place by degrees

according to the discretion of the College governors, so long as there are any boys in the same school who were admitted thereto before the 1st day of January 1881.

104. Subject to such reasonable regulations, not inconsistent with the provisions of this scheme, as the College governors may from time to time prescribe, the College governors shall apply the annual sum of £300 in maintaining exhibitions, each of the annual value of not less than £20 nor more than £30, tenable for not more than four years at Dulwich College or at any other place of higher education or professional training approved by them, and to be awarded to boys who are being and have for not less than three years been educated at Alleyn's School.

105. The College governors shall place the annual sum of £150 to a separate account, entitled "Alleyn's School Management Account." The money for the time being standing to the credit of such account shall be applied by the College governors in paying all rates and taxes due in respect of the buildings of Alleyn's School and their appurtenances, in insuring the same against loss or damage by fire, in effecting repairs of property used for the purposes of Alleyn's School, and in paying any other expenses of management of property and business, and so far as not wanted for these purposes shall be accumulated so as to form a fund for the like purposes, or for improvements of such property, in any future year or years, but all expenditure out of such accumulated fund shall be subject to the control of the Charity Commissioners.

106. Except as herein otherwise provided, Alleyn's School shall be subject to the like provisions as are contained in the foregoing clauses relating to Dulwich College.

107. Subject to the payment of any necessary or proper outgoings, any income of Alleyn's School not applied under the foregoing provisions relating to such school, and not needed as a balance to meet current expenses, may be applied for the purposes of the same school, according to the like provisions as hereinbefore contained with regard to Dulwich College, and so far as not so applied shall, on passing the annual accounts, be invested in the name of the official trustees of charitable funds, in trust for Alleyn's School in augmentation of its endowment.

Dulwich College Picture Gallery and School of Fine Art.

108. Dulwich College Picture Gallery and the endowment thereof shall be administered by the College governors. Such endowment shall con-

sist of the lands, buildings, and hereditaments described in Part III. of the Third Schedule hereto, and of the said capital sum of £4000 (when the same shall come into possession) to be applied in the erection of a suitable building for a school of fine art, and of the said annual sum of £300, to be paid to the College governors and carried by them to the credit of the Dulwich College Picture Gallery account, as hereinbefore provided; and of the sum of £17,500 consolidated 3 per cent. annuities, or other the stock belonging to Dulwich College Picture Gallery, and the dividends accruing or accrued thereon, and the cash balances, if any, and the pictures, works of art, and other effects belonging to Dulwich College Picture Gallery.

109. The College governors shall, with the sanction of the President and Council of the Royal Academy, make provision for the preservation and custody of the collection of pictures and works of art belonging to Dulwich College Picture Gallery in the present Gallery or elsewhere in Dulwich, subject to such regulations for making the same accessible to the public, and for other purposes, as the College governors may determine or direct.

110. After defraying the expenses of management, including those of the annual visitation as directed by the above-mentioned will of Margaret Desenfans, and of the maintenance of the gallery, pictures, and works of art, the College governors shall, out of the remaining income of Dulwich College Picture Gallery, provide for instruction in drawing and designing and otherwise for the advancement of education of boys and girls by means of a School of Fine Art. The governors may appoint and pay such lecturers or other teachers in the school of fine art as they think fit, and may at pleasure dismiss any such lecturer or teacher. The School of Fine Art shall be open to all boys and girls belonging respectively to Dulwich College, Alleyn's School, James Allen's Girls' School, or to any school endowed or to be endowed under this scheme, or any scheme to be made under it as herein mentioned. The College governors may also admit other persons to the School of Fine Art, but not so as to interfere with the aforesaid object of such school. For instruction in the School of Fine Art the College governors shall charge such fees as they think fit, but boys attending Dulwich College shall, and boys and girls attending Alleyn's School, or James Allen's Girls' School, or any other school endowed or to be endowed under this scheme, or any scheme to be made under it as herein mentioned, may be admitted to such instruction free, or at a scale of fees lower than those charged to other scholars. If at any time there is not room for all applicants for admission to the School of Fine

Art, a preference shall be accorded in the first instance to boys attending Dulwich College, and afterwards to boys and girls attending respectively Alleyn's School, James Allen's Girls' School, and any school endowed or to be endowed under this scheme, or any scheme to be made under it as herein mentioned. All fees received under this clause shall be placed to the credit of the Dulwich College Picture Gallery account. The College governors may out of the income of Dulwich College Picture Gallery grant exhibitions or prizes as the reward of merit and proficiency to boys and girls in the School of Fine Art. The school of fine art shall be subject to the like provisions as hereinbefore contained with regard to Dulwich College for giving effect to the requirements of sections 15 and 18 of the Endowed Schools Act, 1869.

111. Subject to the payment of any necessary or proper outgoings, any income of Dulwich College Picture Gallery not applied under the foregoing provisions relating to such Gallery, and not needed as a balance to meet current expenses, may be applied in improving the Gallery, purchasing pictures and works of art, and generally in extending or otherwise promoting the objects and efficiency of the Gallery and the School of Fine Art, and so far as not so applied shall, on passing the annual accounts, be invested in the name of the official trustees of charitable funds in trust for Dulwich College Picture Gallery in augmentation of its endowment.

112. When the said capital sum of £4000 shall come into possession, or sooner if circumstances will permit, the College governors shall erect a suitable building for the School of Fine Art upon some site belonging to Dulwich College Picture Gallery, but for all the purposes connected therewith the College governors shall act subject to the consent and approval of the Charity Commissioners.

General.

113. The estates governors and the College governors respectively may receive any additional donations or endowments for the general purposes of the several trusts to be administered by them respectively. They may also receive donations or endowments for any special objects connected with the said several trusts, or any of them, which shall not be inconsistent with or calculated to impede the due working of the provisions of this scheme. Any question arising upon this last point shall be referred to the Charity Commissioners for decision.

114. Within the limits prescribed by this scheme the estates governors and College governors respectively shall have full power from time

to time to make regulations for the conduct of their business and for the management of their respective trusts, and such regulations shall be binding on all persons affected thereby.

115. Any question affecting the regularity or the validity of any proceeding under this scheme shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

116. If any doubt or question arises between any governing bodies under this scheme, or among the members of any such governing body, as to the proper construction or application of any of the provisions of this scheme, the governing bodies or governing body concerned shall apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the governing bodies or governing body concerned, and all persons claiming under the trust concerned who shall be affected by the question so decided.

117. From the date of this scheme, all jurisdiction of the ordinary relating to or arising from the licensing of any master or teacher in Dulwich College or Alleyn's School, or any other school to be managed under the provisions of this scheme, shall be abolished.

118. From the date of this scheme all rights and powers reserved to, belonging to, claimed by, or capable of being exercised by the Archbishop of Canterbury, or any other person or body (other than Her Majesty) as visitor of either of the above-named foundations, shall be transferred to Her Majesty, and all such rights and powers, and also any like rights or powers vested in her on the 2nd day of August 1869, shall be exercised only through and by the Charity Commissioners for England and Wales. But notwithstanding anything herein contained, the Archbishop of Canterbury for the time being shall retain and have the honorary style and title of Visitor of Alleyn's College of God's Gift at Dulwich.

119. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame schemes for the alteration of any portions of this scheme, provided that such schemes be not inconsistent with anything contained in the Endowed Schools Acts.

120. From and after the date of this scheme the above-named foundations and endowments shall for every purpose, except as herein provided, be administered and governed wholly and exclusively in accordance with the provisions of this scheme, notwithstanding any former or other scheme, Act of Parliament, charter or letters patent, statute, or instrument relating to the subject-matter of this scheme.

121. The estates governors shall cause this scheme to be printed, and a copy to be given

to every estates governor, College governor, master, assistant master, and teacher upon their respective appointments, and copies may be sold at a reasonable price to all persons applying for the same.

122. The date of this scheme shall be the day on which Her Majesty by Order in Council declares her approbation of the scheme.

FIRST SCHEDULE.

Sections 7 and 8 of the Dulwich College Act Scheme respectively referred to in the foregoing Scheme, the College and the Charity in these sections respectively mentioned being Alleyn's College of God's Gift at Dulwich and the Governors thereof as in the Dulwich College Act Scheme respectively constituted.

7. All the real estate of whatsoever tenure and rights and privileges vested in or held in trust for the said College, or any of the members thereof as such (subject to the subsisting leases and charges, if any, thereof), and the full benefit of all subsisting covenants, conditions, and securities made or entered into with or reserved to the said College, or any person or persons in trust for the same College, and all the personal estate belonging to or held in trust for the said College, or any of the members thereof as such, and the right to sue for and recover all choses in action recoverable for the benefit of the College or any such member as aforesaid, shall from and after the said 31st day of December 1857, be vested in the said governors, and shall from time to time thereafter vest and continue vested in the governors of Alleyn's College at Dulwich for the time being, for the purposes and according to the provisions of this scheme, without any conveyance, assignment, or assurance; and the right to sue upon, or enforce all or any covenants, conditions, or securities, made, reserved, or contracted to or with the said College before its dissolution, or to or with any preceding governors of the said Charity for the benefit thereof, shall be exercisable by and in the names of the governors for the time being, as fully and effectually as the same right might be exercised by such College, if not dissolved, or by such preceding governors, if still retaining their office; and in the same manner all contracts and liabilities of the said College before its dissolution, or of any preceding governors for the time being of the Charity, may be enforced against the governors thereof for the time being, to the extent of the property or assets of the Charity, but not against their private estates.

8. Leases and other deeds and instruments for the letting or disposition of the Charity estate or any part thereof, may be executed and made by any five of the governors for the time being on behalf and as the act of the whole of them, according to any order of the governors of the said Charity, made at any regular meeting of their body, and shall have the same effect as if executed by all the said governors, and the recital of any such order, contained in any deed or instrument by which any such lease or other disposition shall be effected, shall be *prima facie* evidence thereof, upon any proceedings to which the parties to the same lease or instrument or their respective successors in title, representatives, or assigns, shall be parties or a party.

SECOND SCHEDULE.

LANDS and HEREDITAMENTS to be vested in the Official Trustee of Charity Lands and his successors, in trust for the Estates Governors, subject as regards the particulars specified in paragraph 2 of this Schedule to the direction in the foregoing Scheme for shifting the benefit of the trust.

*Property to be appropriated as part of the
Eleemosynary Endowment.*

1. Such part of the site and buildings known as the Old College as consists of the eastern wing and the northern part of the western wing of those buildings and the quadrangle or forecourt and planted enclosure belonging to the Old College, and is bounded on the south partly by the chapel and the chaplain's residence and the cloisters adjoining to them, and partly by the stable-yard attached to the chaplain's residence, and is shown in a plan of the Old College and of part of the estate of the College of God's Gift adjoining thereto sealed with the seal of the Charity Commissioners and deposited in their custody, and it is therein coloured grey; but subject to the right of access mentioned in paragraph 1 of Part I. of the Third Schedule.

2. The two buildings abutting on the west wall of the Dulwich College Picture Gallery, and now used as residences for almswomen, and the two out-buildings used as offices appurtenant to such residences: which residences and offices are shown in the said plan, and are therein also coloured grey, with their respective sites, with a right of access to the same residences and offices through the courtyard adjoining to Gallery Road.

THIRD SCHEDULE.

LANDS and HEREDITAMENTS to be vested in the Official Trustee of Charity Lands and his successors, in trust for the College Governors.

PART I.

Property to be appropriated as part of the Chapel Endowment.

1. The chapel and the chaplain's residence, and the cloisters adjoining to them, forming together the southern block of the buildings of the Old College, and the kitchen offices, attached to the chaplain's residence, and such part of the western wing of the buildings of the Old College as is over the same offices, and the stable-yard and stable abutting on Gallery Road: which southern block and other particulars, the subject of this paragraph, are shown in the said plan, and are therein coloured pink, with their respective sites, and with a right of access to the same through the quadrangle or forecourt and planted enclosure described in paragraph 1 of the Second Schedule.

2. The garden appropriated to the chaplain's residence, containing by admeasurement 0a. 1r. 25p. or thereabouts, and bounded on the east by College Road, on the south partly by the garden or piece of land containing by admeasurement 1a. 1r. 30p. or thereabouts described in paragraph 1 of Part III. of this Schedule, and partly by the northern wall and fence of the Dulwich College Picture Gallery and of the covered way or cloister of the Dulwich College Picture Gallery, on the west partly by the covered way or cloister of the Dulwich College Picture Gallery and partly by the stable-yard described in the last foregoing paragraph, and on the north by the southern block of the buildings of the Old College: which garden is shown on the said plan and is therein also coloured pink.

PART II.

Property to be appropriated as part of the Endowment of Dulwich College.

1. A parcel of land containing by admeasurement 28a. 1r. 38p. or thereabouts, and numbered 338 in the plan of the estate of the College of God's Gift made in the year 1876, bounded on the east by College Road, on the south by the site of a fence, now removed, formerly dividing this parcel from the field numbered 337 on the same plan, on the west by Palace Road, and on the north by Dulwich Common Road: Also a parcel of land containing by admeasurement 13a. 2r. 26p. or thereabouts, numbered 337 on

the same plan, bounded on the east by College Road, on the south by Union Road, on the west partly by the property of the London, Chatham and Dover Railway Company and partly by Palace Road, and on the north by the site of the said fence now removed: The same two parcels of land containing together by admeasurement 42a. 0r. 24p. or thereabouts; together with the school buildings, masters' residences, and their respective appurtenances erected thereon and known as the New College, and now used for the purposes of the upper school of the College of God's Gift.

PART III.

Property to be appropriated as part of the Endowment of Dulwich College Picture Gallery.

1. The site and buildings of Dulwich College Picture Gallery, and the land and appurtenances appropriated thereto, including the covered way or cloister on the east side, and the lobby and the mausoleum and the curator's room and the courtyard on the west side of the Gallery, and including also the detached building used as a residence for the curator and the garden appropriated thereto, and also the garden or piece of land containing by admeasurement 1a. 1r. 30p. or thereabouts on the east side of the Gallery: which site and buildings and other particulars are bounded on the east by College Road, on the south partly by the northern of the building plots known as College Gardens and partly by the parcel of land described in the next following paragraph, on the west partly by the last-mentioned parcel of land and partly by Gallery Road, and on the north partly by the garden appropriated to the chaplain's residence, partly by the northern of the two buildings used as residences for almswomen described in paragraph 2 of the Second Schedule, and partly by the stable-yard described in paragraph 1 of Part I. of this Schedule: all which site and buildings and other particulars, the subject of this paragraph, are shown in the said sealed plan, and are therein coloured green; but subject to the right of access mentioned in paragraph 2 of the Second Schedule.

2. A parcel of land containing by admeasurement 3a. 0r. 15p. or thereabouts, bounded on the east partly by the said garden or piece of land containing by admeasurement 1a. 1r. 30p. or thereabouts and described in the last foregoing paragraph, and partly by the building plots known as College Gardens, on the south by the footpath leading from Gallery Road to College Road, on the west by Gallery Road, and on the north partly by the garden appropriated to the residence for the curator and partly by the planted enclosure of the Dulwich College Picture Gallery: which parcel of land is shown in the said sealed plan, and is therein coloured brown.





Since this Chapter was in print, the Charity Commissioners have made proposals to alter the scheme of the 18th August 1882 in several particulars, notably by cancelling the gift of £50,000 to the parishes of St. Luke's and St. Botolph's, and bestowing the income of that sum at 3 per cent., together with other endowments, upon a new foundation, to be called the London Central Commercial Schools, to consist of two schools for boys and one for girls.

The Endowed Schools Commissioners on February 13, 1874, gave the following opinion upon the parochial claims. It forms an interesting commentary on a good deal of the preceding history :—

“The vestry of St. Luke's base their claims on the assumption that the four parishes have equal beneficial interest in Alleyn's foundation, and that this interest is for each parish one-fourth of the whole. . . . The Commissioners desire to state that in their judgment this argument is not supported by the true interpretation of the instruments of foundation, or by the facts of the case. . . . There is, therefore, in the opinion of the Commissioners no ground for an apportionment of Alleyn's endowment into equal fourth parts, one for each of the four parishes. And in this opinion they are confirmed by the circumstance, that, although this endowment has been many times the subject of hot debate before the Archbishop of Canterbury as Visitor, before the Court of Chancery, before the Charity Commissioners, and before Parliament, no one of these authorities has ever recognised such a view. On the contrary, their decisions and action have been entirely inconsistent with it.”

END OF VOL. I.

